

APPLICATION NO. 54004

PROTESTED BY	DATE	
U.S. GOVERNMENT, BUREAU OF LAND MANAGEMENT	07/23/90	
STASIAK, CONNIE K.	07/18/90	1
HILL, EDITH JEAN	07/16/90	1
ISOM, BARRY C.	07/16/90	
McKROSKY, WANDA	07/16/90	1
LAS VEGAS VALLEY FLY FISHING CLUB	07/13/90	1
McKAY, JOHN R.	07/13/90	1
PIOCHE TOWN BOARD	07/13/90	1
WADSWORTH, JOHN M.	07/13/90	1
EDWARDS, IRVIN BAKER	07/12/90	1
JONES, MARGARET H.	07/12/90	W/0 11/28/05
KIRKEBY RANCH	07/12/90	1
PANACA IRRIGATION CO.	07/12/90	1
SONNENBERG, AMELIA	07/12/90	1
THE TOIYABE CHAPTER OF THE SIERRA CLUB	07/12/90	1
ELDRIDGE, GORDON D.	07/11/90	1
HARPER, GLEN W.	07/11/90	1
LOVE, DR. DAN A.	07/11/90	1
THE CITY OF CALIENTE	07/11/90	1
EASTERN UNIT, NEVADA CATTLEMEN'S ASSOCIATION	07/10/90	l en e
BIDART BROTHERS	07/09/90	toer in the
ESCOBEDO, JUAN M.	07/09/90	
GAFFIN, BEVERLY R.	07/09/90	
HIATT, JESS	07/09/90	1
HOLLINGSHEAD, GARLAND N.	07/09/90]
HOLT, WESLEY A.	07/09/90	
KINDER, ART	07/09/90	
LEE, JAMES I.	07/09/90	
NYE, DONNA A.	07/09/90	
O'CONNOR, HELEN	07/09/90	
THE COUNTY OF WHITE PINE and THE CITY OF ELY	07/09/90	
THE COUNTY OF WHITE PINE and THE CITY OF ELY	07/09/90	
THE MOAPA BAND OF PAIUTE INDIANS	07/09/90 -	W/D 4/14/06
TOMLINSON, TONYA K.	07/09/90	}
U.S. FISH & WILDLIFE SERVICE	07/09/90	
COUNTY OF NYE	07/06/90	
DAY, RUTHERFORD	07/06/90	v *
U.S. DEPT. OF INT., NATIONAL PARK SERVICE	07/06/90	
THE UNINCORPORATED TOWN OF PAHRUMP	07/05/90	
PRESTWICH, CLARENCE S.	07/02/90	4.
,	1	ı

No. 74004	2 of 2 1	Date Filed	<u> </u>	7 1989		*		
Indexe	ed under					Well	Log	
Name of applicant		Ration Williams						
Мар 🕳	•	В	asin 10	- 184				•
Stream			SP	RING VA	LLEY			
Township I	Range					Cor	unty LINCO	DLN -
Point of diversion	1/4 1/4	4 Section						
Applicant LAS	VEGAS	VALLE	EY WAT	ER DIST	RICT			
Source of Water	UNDERGR	OUND			,			
Returned for correc	tion			Abrogate	ed by			
Corrected application	on received) .	•					
Map filed								
Sent for publication	1				,			
Proof of publication	n filed							
Investigated on grou	and by	· · · · · · · · · · · · · · · · · · ·						
Protested								
Ready for action			· · · · · · · · · · · · · · · · · · ·					
Approved	·.							
Denied								
	PROOF (COMMENCE	OF EMENT		OF OF LETION	PROOF BENEFICIA		CULTURAL	МАР
Date due								
1st extension								
2nd extension								
Date filed								
							Filed under	r map
CERTIFICATE NO.			ISSUED			AMOUNT		, ib
Use					,			
COMPUTER CHECK	File Entry		Publicatio	n	Permit		Certificate	
			A	DDRESS				

54004

IN THE MATTER OF APPLICATION NUMBER	54004
FILED BY Las Vegas Valley Water D	istrict PROTEST
ON October 17, 19 89, TO APPR	,
WATERS OF Underground Well	
II S Covernment	Purson of Land Wasses
Comes now U.S. Government,	Printed or typed name of protestant
whose post office address is. Star Route	5, Box 1, Ely, Nevada 89301 Street No. or P.O. Box, City, State and Zip Code
	t Agency and protests the granting
of Application Number54004	, filed on October 17, 19.8
by Las Vegas Valley Water Dist	trict cd or typed name of applicant cd or typed name of applicant
Waters of	. 25, NE ¹ ₄ SE ¹ ₄ Lincoln am, lake, spring or other source
	ig reasons and on the following grounds, to wit:
See Attachment for Applica	N = 4 + - 4
·	
,	
THEREFORE the protestant requests t	hat the application be DENIED
	hat the application be (Denied, issued subject to prior rights, etc., as the case may be)
	hat the application be DENIED
	hat the application be (Denied, issued subject to prior rights, etc., as the case may be)
	that the application be DENED (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed
	chat the application be DENIED (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed Lewell G. Walker, District Manager Printed of typed name, if a sent
	hat the application be DENIED (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed Lumb L. Walk Agent or protestant Kenneth G. Walker, District Manager Printed or typed name, if agent SR 5, Box 1 Street No. or P.O. Box No.
	that the application be (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed
	chat the application be (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed Agent or protestant Kenneth G. Walker, District Manager Printed or typed name, if agent Address SR 5, Box 1 Street No. or P.O. Box No.
and that an order be entered for such relie	chat the application be DENIED (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed Lewell & Walks Agent or protestant Kenneth G. Walker, District Manager Printed or typed name, if agent Address SR 5, Box 1 Street No. or P.O. Box No. Ely, Nevada 89301 City, State and Zip Code No.
and that an order be entered for such relie	chat the application be DENIED (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed Lewell & Walks Agent or protestant Kenneth G. Walker, District Manager Printed or typed name, if agent Address SR 5, Box 1 Street No. or P.O. Box No. Ely, Nevada 89301 Cliy, State and Zip Code No.
and that an order be entered for such relie	that the application be (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed Agent or protestant Kenneth G. Walker, District Manager Printed or typed name, if agent Address SR 5, Box 1 Street No. or P.O. Box No. Ely, Nevada 89301 City, State and Zip Code No.
and that an order be entered for such relie	that the application be (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed Agent or protestant Kenneth G. Walker, District Manager Printed or typed name, if agent Address SR 5, Box 1 Street No. or P.O. Box No. Ely, Nevada 89301 City, State and Zip Code No.
and that an order be entered for such relief	that the application be (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed Agent or protestant Kenneth G. Walker, District Manager Printed or typed name, if agent Address SR 5, Box 1 Street No. or P.O. Box No. Ely, Nevada 89301 City, State and Zip Code No.
Subscribed and sworn to before me this BENJAMIN E. COPE Notary Public - Brate of Newada White Pine County - Newada	that the application be (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed Agent or protestant Kenneth G. Walker, District Manager Printed or typed name, if agent Address SR 5, Box 1 Street No. or P.O. Box No. Ely, Nevada 89301 City, State and Zip Code No.
and that an order be entered for such relief	chat the application be (Denied, issued subject to prior rights, etc., as the case may be) ef as the State Engineer deems just and proper. Signed Lewell & Walker Agent or protestant Kenneth G. Walker, District Manager Printed or typed name, if agent Address SR 5, Box 1 Street No. or P.O. Box No. Ely, Nevada 89301 City, State and Zip Code No.

\$10 FILING FEE MUST ACCOMPANY PROTEST, PROTEST MUST BE FILED IN DUPLICATE, ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

2414 (Revised 6-80)

ATTACHMENT FOR FILING #54004

The Bureau of Land Management (BLM), United States Department of the Interior has been directed by Congress through law to protect and manage certain public lands of the Unites States. Specifically, Congress instructed the BLM in the Federal Land Policy and Management Act(FLPMA) "...that management be on the basis of multiple use and sustained yield...public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use..."

The multiple uses mentioned in FLPMA include, but are not limited, to recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values.

In addition to FLPMA, the Taylor Grazing Act, The Recreation and Public Purposes Act, The Wild and Free Roaming Horse and Burro Act, The Endangered Species Act. The Public Rangelands Improvement Act, The Water Resources Act, and various other laws give the BLM the authority to manage the public lands and their various resources so that they are utilized in the combination that will best meet the present and future needs of the American people.

The application of the Las Vegas Valley Water Department (LVVWD) to the State Engineer of Nevada to appropriate water on BLM administered land, if approved, will prove to be detrimental to the public interest by eliminating the capability to fulfill the legislated management responsibilities and is being protested under NRS 533.365.

SPECIFIC IMPACTS FROM APPLICATION #54004

There are fifteen (15) waters that could be potentially impacted if this application is granted. The demand which the BLM has recognized on these waters where the BLM has a responsibility to manage is: 1) 601 AUMs for deer, 2) 375 AUMs for antelope, 3) 7250 AUMs for livestock, and 4) 828 AUMs for wild horses. The total AUM demand is 9054.

Of these 15 waters deer use 4 and antelope use 13, sage grouse use 1, livestock use 5 and wild horses use 2. The ability of the BLM to meet this demand will be impaired by the granting of an appropriation to LVVWD; therefore, it threatens to prove detrimental to the public interest.

CUMULATIVE AFFECTS OF APPLICATION #54004

1. Application number 54003 in conjunction with applications 54006, 54003, 54005, 54007, 54008, 54009, 54010, 54011, 54012, 54013, 54014, 54015, 54016, 54017, 54018, 54019, 54020, and 54021 will withdraw 91,218 acre feet (AF) of water if pumping occurs at the rates applied for, 24 hours per day, 365 days per year. This withdrawal rate is 14,218 AF per year more than occurs through natural recharge from precipitation and inflow from the Antelope

Valley hydrographic area (Harrill 1988). According to Dettinger (1989) the perennial yield of an aquifer is the quantity of water which can be extracted for use each year without depleting the groundwater reservoir. The perennial yield is no greater than the total rate of flow through the aquifer and is probably less (Dettinger 1989). Because more water will be withdrawn from the Spring Valley hydrographic area than is recharged ,a slow but continuous decline in groundwater levels will occur. Also, groundwater withdrawal from the Spring Valley hydrographic area that exceeds natural recharge will preclude the underground flow of 4,000 AF per year from the Spring Valley hydrographic area to the Snake Valley hydrographic area (Upper Hamlin Valley). Numerous large artisan springs are found in upper Hamlin Valley (Hood and Rush 1965, Pupacko et al. 1989) and elimination of the 4,000 AF flow from Spring Valley to Hamlin Valley will, at the minimum, result in decreased flows, and may dry up the springs entirely. Because of these impacts and others not identifiable at this time, this application threatens to prove detrimental to the public interest.

- 2. Application 54004 in conjunction with applications 54005, 54008, 54010, 54011, 54012, 54013, 54014, 54015, 54016, 54017, 54018, 54019, 54020, and 54021 is positioned within the fringe of or just outside of a phreatic zone. The point of diversion of application 54004 allows the Las Vegas Valley Water District to obtain groundwater before it flows into the underground reservoir and is transpired by the phreatic vegetation. Phreatic vegetation is present on about 325,000 acres of bottomland in Spring Valley. Groundwater modeling in Spring Valley for the White Pine Power Project Environmental Impact Statement indicates that removal of 25,000 AF of groundwater per year for 36 years will cause a general drawdown of up to 40 feet throughout a large portion of Spring Valley. Drawdown at individual points of diversion would be as great as 240 feet. The proposed withdrawal by the Las Vegas Valley Water District is substantially greater than 25,000 AF, therefore, the potential cumulative and specific well drawdowns will be substantially greater. Groundwater withdrawal of this magnitude, both at individual points of diversion and cumulative from all the points of diversion mentioned above will lower the water table below the rooting zone of the phreatic vegetation. Soils in the basin floor of Spring Valley are very alkaline; therefore, little vegetation will replace the salt tolerant phreatophytes. Desertification will reduce the forage and habitat base for livestock and wildlife. Also, the aesthetic and biologic quality of the air resource will decline because desertification increases airborne particulates. problems will occur during periods of high winds. Because of these impacts and others not identifiable at this time, this application threatens to prove detrimental to the public interest.
- 3. The cumulative impact of application 54004 in conjunction with the applications mentioned in the above paragraphs will have a negative impact on the Pahrump Killifish, an endangered species found in the Shoshone Ponds. According to the White Pine Power Project Environmental Impact Statement withdrawing only 25,000 AF of water per year from Spring Valley could decrease the water temperature in the ponds to less than optimum during the winter and spring months. It is believed that decreased water flows, because of extensive withdrawal, and cold atmospheric temperatures during the winter months will work together to drop the water temperature below the optimum level needed for survival of the Killifish. The aforementioned EIS also states that the United States Fish and Wildlife Service believes that pumping

25,000 AF of groundwater per year in Spring Valley will jeopardize the continued existence of the Pahrump Killifish. Because of these impacts and others not identifiable at this time, this application threatens to prove detrimental to the public interest.

ADDITIONAL INFORMATION MANDATORY

At this time, there is insufficient information available to completely analyze and determine the full impacts to the various resources that the BLM is responsible to protect and manage. The actual impacts of the pumping of this well in conjunction with the cumulative impacts of the Las Vegas Valley Water Districts' other proposed wells cannot be fully determined until sufficient data has been collected and analyzed.

We, therefore, protest the granting of the water appropriation because neither the State Engineer nor the Las Vegas Valley Water Department (LVVWD) has prepared an analysis of all anticipated impacts associated with LVVWD's applications. If an analysis has been done, it has not been made available to the public and affected parties, and the failure to do so is not in the public interest as per NRS 533.370.3. Because it is impossible to anticipate all impacts at this time, the BLM reserves the right to amend this protest as other issues develop and as additional studies provide further information.

The Bureau is preparing notices of PWRs within the area of protest. These notices will be based only on the needs appropriate under PWR-107 and will be sent to the State Water Engineer over the next several months prior to adjudication.

In the Matter of Application Number Site on Detail 1989, to Appround the Second	OPRIATE THE	TEST	RECI JUL 1 Div. of Water 1 Branch Office Las	EIVED 18 1990 Resources Vegas, NV
Comes now Connie K.	Printed or typed na	me of protestant		·
whose post office address is 3810 Refl				
whose occupation is Child Developm				
of Application Number 54004		117	/ 	, 19 <i>87</i>
by Las Vegas Valley Water I	0/5/1/0/ d or typed name of applicant	***************************************		to appropriate the
waters of Spring Valley Basin Underground or name of stream	- Underground m, lake, spring of other source	situ	ated in <i>Lincoli</i>	County
County, State of Nevada, for the following				,
The application should be denied because	cit individually + Cu	nulatively	Nother applicat	ions of the water
impactation project will perpetuate	may increase the	inefficient	use of water in	the Law Vegas Valle
Water District service area - frustrate e	•			
Water District Service area. Additional		_		•
are based on are unrealistic + ignore	• .			
Congestion, increased costs of infr		-		
		, J	δ 🗸	
THEREFORE the protestant requests the and that an order be entered for such relie	f as the State Engineer	(Denied, issued s deems just ar		as the case may be)
		nie K. Si	¥. '.	
	Signed	777	aseak	
NOTARY PUBLIC	Signed Cons	Ageni	or protestant	
MOTARY PUBLIC STATE OF NEVADA County of Class	***************************************	Ageni Printed or t	or protestant yped name, if agent	
	Address <u>38/0</u>	Printed or t Reflection Street No.	yped name, if agent May or P.O. Box No.	
STATE OF NEVADA - County of Clash Mario Fikstac My Appointment Expires Jan. 10, 1986 NOTARY PUBLIC	Address <u>38/0</u>	Printed or t Reflection Street No.	or protestant yped name, if agent	
STATE OF NEVADA - County of Class Mario Filestac - My Appointment Expires Jan. 10, 1934	Address <u>38/0</u>	Printed or t Reflection Street No.	yped name, if agent May or P.O. Box No.	Section 1
STATE OF NEVADA County of Clash Mario Fixetac My Appointment Expires Jans 10, 198- NOTARY PUBLIS STATE OF NEVADA County of Clark Mario Fixetaci	Address <u>38/0</u> 165 / 6 17 day of	Printed or t Reflection Street No (Igas, NV City, State	or protestant yped name, if agent NAY or P.O. Box No. 991/7 and Zip Code No.	e e e e e e e e e e e e e e e e e e e
STATE OF NEVADA County of Clash Mario Fixetac My Appointment Expires Jans 10, 198- NOTARY PUBLIS STATE OF NEVADA County of Clark Mario Fixetaci	Address <u>38/0</u> 165 / 6 17 day of	Printed or t Reflection Street No (Igas, NV City, State	or protestant yped name, if agent LALY. or P.O. Box No. 991/7 and Zip Code No.	en e

TO STATE ENGINEER

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

In the Matter of Application Number 54004

FILED BY LAS Vegas Valley Water District	PROTECT
ON_October 17, 19.89, TO APPROPRIATE	THE PROTEST
Waters of Underground	
	<u> </u>
Comes now Edith Jean Hill	
whose post office address is P.O. Box 135	Printed or typed name of protestant
whose occupation is teacher	Street No. or P.O. Box, City, State and Zip Code
or Application Number 54004 filed o	and protests the granting October 17
by Las Vegas Valley Water District	, 19.89
Printed or typed an waters ofUnderground	
Underground or name of stream, lake, sprin	ger other source situated in Lincoln
County, State of Nevada, for the following reasons Granting or approval of the	and on the following grounds, to wit:
be detrimental to the public	above-referenced Application would
jeonardize the same	c interest in that it would likely
appearance the continued ex	istence of endangered and threatened
apecies, lower the static w	ater level. will adversely affect the
quality of remaining ground	water and will further threaten spring.
seeds and phreatophytes which	provide water and habitat critical to the
survival of wildlife, grazing	ng livestock and other surface area existing use
THEREFORE the protestant requests that the app	
and that an order be entered for such relief as the S	tate Engineer deems just and proper.
Sign	ed Edith Deanties
	Agen by protestant
, Add	ress. P.O. Box 135
en e	Panaca N Street No. or P.O. Box No.
	City, State and Zip Code No.
Subscribed and sworn to before me the	
Subscribed and sworn to before me this	ay of
	Gul D. Cumstrag
NOTARY PUBLIC STATE OF NEWADA State	of Nevapo
County of Lincoln	nty of him co LN'
My Ashairman Exhibit San 25 tons Dec 7, (993)	.,, 01
1, ec 7, (773	
\$10 FILING FEE MUST ACCOMPANY ALL COPIES MUST	PROTEST. PROTEST MUST BE FILED IN DUPLICATE. CONTAIN ORIGINAL SIGNATURE.
	TOTAL VINES

IN THE MATTER OF APPLICATION NUMBER 54	204
Filed by Las Vegas Valley Water Dist	rict PROTEST
on October 17, 1989, to Approp	1
Waters of Underground	\
Camas name BARRY C	TEOM
Comes now BARRY C	Printed or typed name of protestant
whose post office address is P. 0 BO	Street No. or P.O. Box, City, State and Zip Code
_	GAND S. GRAVEL COMPANY and protests the granting
of Application Number 5400 4	
_	typed name of applicant
waters ofUnderground Underground or name of stream, is	situated in Lincoln
County, State of Nevada, for the following re-	
THE APPROPRIATION OF THIS WATE	R WHEN ADOED TO THE ALREADY APPROVED
	SERS IN THE 202 BASIN WILL EXCEED THE
	OF THE BASIN. APPROPRIATION AND USE
	THE WATER TABLE AND DEGRADE THE QUALITY
NOTE: A second of the second o	CAUSE NEGATIVE HYDRAULIC GRADIENT INFLUENCES,
	MPACTS AND WILL ADVERSELY AFFECT EXISTING
RIGHTS ADVERSE TO THE PUBLIC I	
THEREFORE the protestant requests that	the application be Denied (Denied, issued subject to prior rights, etc., as the case may be)
and that an order be entered for such relief as	the State Engineer deems just and proper.
	Balan
	Signed Agent or protestant
	Printed or typed name, if agent
	Address P.O. BOX 428 Street No. or P.O. Box No.
	PANACA, NEVADA 89042 City, State and Zip Code No.
	City, some and Lip Code No.
Subscribed and sworn to before me this.	day of UV-
	1 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	Danil 2. Let
Notary Public-State Of Nevada COUNTY OF CLARK	State of NEUADA
DANIEL E. HEITZ My Appointment Expires July 30, 1991	County of CLARK
out of 1221	

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

2454 (Revised 6-8

O-2035 and

the granting
19 89
propriate the

ations
ield of
ole and
gradient .
existing

e may be)

<u> </u>

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

2414 (7 : 100 6.80)

O-2015 - 323

IN THE MATTER OF APPLICATION NUMBER 3 7007	RECEIVED
FILED BY LAS VEGAS WATER DISTRICT	PROTEST JUL 13 1990
on Oct 17 19 89, to Appropriate the	Div. of Water Resources
WATERS OF Spring Valley Basin	Branch Office - Las Vegas, NV
	.1
100 1/200	
Comes now LAS VEGAS FLY F	ISHING CLUB
whose post office address is 2728 Tidewater	r Ct. Las Vegas, NV 89117 eet No. or P.O. Box, City, State and Zip Code
whose occupation is NON-PROFIT EDUCATION	AND CONSERVATION SPOR, and protests the grantin
of Application Number 5,4004, filed on	OCT 17 195
by Las Vegas WATER DISTA	Pict
Printed or typed name of a	ipplicant
vaters of Spring Valley Be (Inderground of name of stream, lake) spring or oil	asin situated in Lincoln
County, State of Nevada, for the following reasons and	
SEE ATTACHED	on the following grounds, to with
SEE ATTACHED	
<u> </u>	
	<u> </u>
	DENIEN
THEREFORE the protestant requests that the applicat	(Denied, issued subject to prior rights, etc., as the case may be)
and that an order be entered for such relief as the State	Engineer deems just and proper.
	1 total
Signed	E-Wallus
Tou	Agent or protestant
<u> Dam</u>	Printed or typed name, if agent Fly Fishing Cl
Address	2728 Tide water Ct. Street No. or P.O. Box No.
	Street No. or P.O. Box No.
11441655.	1 1/2
	Las Vegas NV 89117 City, State and Zip Code No.
	Las Vagas NV 89117 City, State and Zip Code No.
	Las Vagas NV 89117 City, State and Zip Code No.
Subscribed and sworn to before me this 2 and day o	Las Vagas NV 89117 City, State and Zip Code No. 1990
	Las Vagas NV 89117 City, State and Zip Code No.
	Las Vagas NV 89117 City, State and Zip Code No. 19.90
	Las Vagas NV 89117 City, State and Zip Code No. 19.20 Notary Public
	July 1990
Subscribed and sworn to before me this December day o	Mer h

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

2454 (Revised 6-80)

JUL 13 1990

PROTEST

Div. of Water Resources

The Las Vegas Fly Fishing Club protests water rightes Office las Vegas, NV application number **54004**, in Lincoln County, Nevada, Spring Valley Basin, filed by the Las Vegas Valley Water District. The water rights should be denied based on the following provisions.

- 1. The appropriation of this water when added to the already approved appropriations and existing uses in the Virgin River Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use in this magnitude will sanction water mining and lower the static water level which will degrade the **quality** and quality of water in the Spring Valley Wash which will effect the reservoir and streams of Great Basin National Park, Echo Canyon Reservoir, Eagle Valley Reservoir, and Schroeder Reservoir.
- 2. This application is one of the applications filed by the Las Vegas Valley Water District seeking a combined appropriations of over 800,000 acre-feet of ground and surface water primarily for municipal use in Clark County. Diversion and export of such a quantity of water will deprive the area of origin of water needed to protect and enhance its environment and economic well being, and the diversion will unnecessarily destroy environmental, ecological, scenic and recreational values that the state holds in trust for all its citizens.
- 3. In the cumulative areas being protested, the Las Vegas Fly Fishing Club has contributed in excess of \$150,000. through volunteer time and personal expenses; club funds; Southwest Council, Federation of Fly Fishers funds; and private donations of materials to improve fish and related habitat in the affected areas. This was done for the public interest and to protect the fragile water resources in the effected areas. The Las Vegas Valley Water District's mining of these resources will negate the recreational and fish habitat benefits provided through these voluntary contributions under Nevada Department of Wildlife directed projects.
- 4. In a report dated June 7,1990, the Reno Field Station of the U.S. Fish and Wildlife Service listed species as Endangered or Threatened and four species as candidates for Endangered or Threatened status. The endangerment or threat caused by degrading the water quality and/or quantity of this basin will extend the threat to any species that depends on the existent habitat. Therefore, no additional water can be mined from the area.

JUL 13 1990

Div. of Water Resources Branch Office - Las Vegas, NV Page 2

Protest of Application 54004

- 5. The granting or approving of the subject application in the absence of comprehensive planning, including but not limited to environmental impact considerations, cost considerations, socio-economic considerations, and a water resource plan (such as required by the Public Service Commission of private purveyors of water) for the Las Vegas Valley Water District service area is detrimental to the public welfare and interest.
- 6. The granting or approval of the above referenced application would be detrimental to the public interest in that it, individually and together with the other applications of the Las Vegas Valley Water District importation project, would:
- a. Likely jeopardize the continued existence of endangered and threatened species recognized under the federal Endangered Species Act and related state statutes. Two species of trout have become extinct and four other species of trout are candidates for extinction in the state of Nevada. The public interest will not be served if the state allows any more species of fish to become extinct.
- b. Prevent or interfere with the conservation of those Threatened or Endangered species.
- c. Take or harm those Threatened or Endangered species.
- The approval of subject application will sanction and encourage the willful waste of water that has been allowed, if not encouraged, by the Las Vegas Valley Water District. For example, in March of 1990, vandals tampered with an automatic watering system in the green belt between Crane Lake and Swan River roads on Lake North Drive in the Las Vegas subdivision known as the Lakes. The damage included broken valves and sprinklers which were seen and reported to the Las Vegas Valley Water District on Friday night. The Las Vegas Valley Water District representative at the emergency phone number said that the water in the area was not their responsibility and they did not know who to call. The person reporting the damage made several other unsuccessful attempts to get help. The water ran unchecked into the street for 62 hours until Monday morning. It was apparent from the response that even though technically the water district was not involved, their lack of concern and failure to take any action demonstrated their policy towards waste of water.

JUL 13 1990

Div. of Water Resources Branch Office - Las Vegas, NV

Protest of Application 54004

Page 3

- 8. The above referenced water rights, individually and cumulatively with other applications of the water import project, will perpetuate and may increase the inefficient use of water and frustrate efforts at water demand management in the in the Las Vegas Valley Water District service area.
- 9. Previous and current conservation programs instituted by the Las Vegas Valley Water district are ineffective public relations-oriented efforts that are unlikely to achieve substantial water savings. Public policy and public interest considerations should preclude the negative environmental and socio-economic consequences of the proposed transfer of water resources on areas of origin when the potential water importer has failed to make a good-faith effort to efficiently use currently available supplies.
- 10. Therefore, The Las Vegas Fly Fishing Club, on behalf of the public good of all Nevada citizens and on behalf of the disastrous consequences on fish habitat that approval would have, requests that the above referenced water rights application be denied and that the order be entered by the state engineer to protect this water resource in perpetuity from water rights applications not in the public interest and detrimental to sound conservation practices. In addition, The Las Vegas Fly Fishing Club incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to the aforementioned application filed pursuant to NRS 533.365.

IN THE MATTER OF APPLICATION NUMBER 54004	
Filed by Las Vegas Valley Water District	RECEIVED
ONOctober 17,19.89_, TO APPROPRIATE THE	JUL 13 1990
Waters of Underground	Div. of Water Resources
	Branch Office - Las Vegas, NV
Comes now John R McKay	ed or typed name of protestant
whose post office address is P. 6: 411 hog and	1+10 HU 0502/
hose occupation is <u>Engluce</u>	and protests the granting
of Application Number 54094 , filed on	
by Las Vegas Valley Water District	to appropriate the
Printed or typed name of ap waters ofUnderground	Tingola
Underground or name of stream, lake, spring or other County, State of Nevada, for the following reasons and county,	er source
Inasmuch as a water extraction and	trans basin conveyance project
of this magnitude has never been a	crans basin conveyance project
it is therefore in a sile of the sile of t	onsidered by the State Engineer.
officets with	Cipate all potential adverse
allects Without further study. Acc	cordingly, the protestant reserves
the right to amend the subject prot	est to include such issues as
they develop as a result of further	study
TUEBERONE	
THEREFORE the protestant requests that the application	(Denied, issued subject to prior rights, etc., as the case may be)
and that an order be entered for such relief as the State E	ingineer deems just and proper.
Signed	2 B m Kan
3 T.	Agent or protestant MKAY Printed or typed name, if agent
	Printed or typed name, if agent
AddressL	Street No. or P.O. Box No.
bog.a.r	City, State and Zip Code No.
Subscribed and sworn to before me this 5th day of.	July 1990
· ·	400
***************************************	Notary Public
JUDY A. ETCHART NOTARY PUBLIC: STATE OF NEVADA State of	Revada
PRINCIPAL OFFICE - LINCOLIN CO NV APPT. EXP. 1-21-94 County of	Osnseln

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE. ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

0-3035

IN THE MATTER OF APPLICATION Number 54004

FILED BY Las Vegas Valley Water District

by Las Vegas Valley Water District Printed or typed name of applicant Waters of Underground Underground Underground situated in Lincoln County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the quality water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water water further growth in the Pioche area.	COCHE TOWN BOARD Printed or typed name of protestant Successive No. or P.O. Box. City, State and Zip Code LOCAL GOVERNMENT Successive No. or P.O. Box. City, State and Zip Code LOCAL GOVERNMENT Situated or Local State	Comes now PIOCHE TOWN BOARD Printed or typed same of processant whose post office address is P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. Box, City, State and Zip Code whose occupation is LOCAL GOVERNMENT , and protests the granting Application Number. 54004 , filed on October 17 , 19.85 Takers of Underground	Comes now PIOCHE TOWN BOARD Printed to upped same of processame whose post office address is. P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. Box. City, State and Zip Code Application Number 54004 Outperground Finited to upped same of applicant to appropriate the granting of Application Number 54004 Outperground Finited to upped same of applicant to appropriate the granting of Application Number 54004 Outperground Outperground Situated in Lincoln Finited to upped same of applicant to appropriate the granting of the process of the appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Denied (Denied, based mobilet to prior rights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed Address Signed of the user of the protestant requests that the application be the protestant requests of the State Engineer deems just and proper. Address Signed Outper of the protestant requests of the State Engineer deems just and proper. Address Signed Outper of the protestant requests of the State Engineer deems just and proper.		1111 1 1000
Comes now PIOCHE TOWN BOARD Printed or typed name of protestant whose post office address is. P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. Box, City, State and Zip Code whose occupation is LOCAL GOVERNMENT and protests the post of Application Number. 54004 filed on October 17 by Las Vegas Valley Water District Printed or typed name of applicant as ituated in Lincoln Underground Underground or name of stream, lake, spring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water water estrict further growth in the Pioche area.	COCHE TOWN BOARD Printed or typed name of protestant P.O. BOX 35, PIOCHE, NV. 89043 Streen No. or P.O. Box, City, State and Zip Code LOCAL GOVERNMENT 54004 filed on October 17 printed or typed name of applicant COUND Printed or typed name of applicant situated in Lincoln reground or name of stream, lake, spring or other source for the following reasons and on the following grounds, to wit: tion of this water when added to the already approved s and dedicated users in the 184 Basin will exceed the ge and safe yield of the basin. Appropriation and use o e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Restant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper. Signed.	Comes now PIOCHE TOWN BOARD Printed or typed same of processant processant phose post office address is. P.O. BOX 35, PIOCHE, NV. 89043 Streen No. or P.O. Box. City, State and Zip Code Printed or typed same of processant processant phose occupation is LOCAL GOVERNMENT and protests the granting of Application Number. 54004 filed on October 17 pp. 85 Yellow State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Denied (Orande, issued subject to prior rights, stc., as the case may be) of the control of the protestant requests that the Application be Denied (Orande, issued subject to prior rights, stc., as the case may be) of the prior of the protestant requests that the State Engineer deems just and proper. Signed Address Signed No. of 7.0 Box 15. Box 15. Signed No. of 7.0 Box 15. Sig	Comes now PIOCHE TOWN BOARD Pinted or typed same of processame pr	WATERS OF Underground	1 UUI 17 1990
Comes now PIOCHE TOWN BOARD Printed or typed name of protestant whose post office address is P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. BOX, City, State and Zip Code whose occupation is LOCAL GOVERNMENT , and protests the roof Application Number 54004 , filed on October 17 by Las Vegas Valley Water District Printed or typed name of applicant to appropriate to appropriate or typed name of applicant situated in Lincoln Underground Underground stream, lake, spring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water water further growth in the Pioche area.	Printed or typed name of processant P.O. BOX 35, PIOCHE, NV. 89043 Sureen No. or P.O. Box, City, State and Zip Code LOCAL GOVERNMENT Sureen No. or P.O. Box, City, State and Zip Code LOCAL GOVERNMENT Situated or typed name of applicant Cound Printed or typed name of applicant cound Situated in Lincoln situated in Lincoln tripround or name of stream, take, spring or other source for the following reasons and on the following grounds, to wit: tion of this water when added to the already approved s and dedicated users in the 184 Basin will exceed the ge and safe yield of the basin. Appropriation and use o e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Signed Signed	Comes now PIOCHE TOWN BOARD Printed or typed name of protessant vivose post office address is. P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. Box. City, State and Zip Code Application Number. 54004 , filed on October 17 , 19.85 Application Number. 54004 , filed on October 17 , 19.85 Tass Vegas Valley Water District	Comes now PIOCHE TOWN BOARD Printed or typed name of protestant velocity for the policy of the protestant process of the		
Printed or typed name of processant whose post office address is P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. Box, City, State and Zip Code whose occupation is LOCAL GOVERNMENT, and protests the post Application Number. 54004 filed on October 17 Las Vegas Valley Water District Printed or typed name of applicant Underground Underground Situated in Lincoln County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incorr additional cost deepen their wells and install larger pumps. The lack of water water also restrict further growth in the Pioche area.	Printed or typed name of processant P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. Box, City, State and Zip Code LOCAL GOVERNMENT	Comes now PIOCHE TOWN BOARD Printed or typed name of processant p	Comes now PIOCHE TOWN BOARD Printed or typed name of protestant process and protests the grantin of Application Number. 54004, filed on October 17, p. 85, p. 10, p. 10		Branco Onice Les Virginia
whose post office address is. P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. Box, City, State and Zip Code whose occupation is. LOCAL GOVERNMENT In Application Number. Street No. or P.O. Box, City, State and Zip Code of Application Number. Street No. or P.O. Box, City, State and Zip Code of Application Number. Street No. or P.O. Box, City, State and Zip Code of Application Number. Street No. or P.O. Box, City, State and Zip Code of Application Number. Street No. or P.O. Box, City, State and Zip Code of Application Number. Street No. or P.O. Box, City, State and Zip Code To Application Number. Printed or typed name of protestant to appropriate To Application Number. Street No. or P.O. Box, City, State and Zip Code to appropriate to appropriate Situated in. Lincoln Lincoln County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the quality water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water water also restrict further growth in the Pioche area.	Printed or typed name of protestant P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. Box, City, State and Zip Code LOCAL GOVERNMENT , and protests the grantin 54004 , filed on October 17 , 19 89 Ley Water District Printed or typed name of applicant cound Printed or typed name of applicant situated in Lincoln repround or name of stream, lake, spring or other source for the following reasons and on the following grounds, to wit: tion of this water when added to the already approved s and dedicated users in the 184 Basin will exceed the ge and safe yield of the basin. Appropriation and use o e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. testant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper. Signed	Phose post office address is. P.O. BOX 35, PIOCEE, NV. 89043 Street No. of P.O. Box, City, State and Zip Code Application Number	whose post office address is. P.O. BOX 35, PIOCEE, NV. 89043 Street No. of P.O. Box. City, State and Zip Code Application Number		Cus voyas. (VV
whose post office address is. P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. Bon, City, State and Zip Code whose occupation is. LOCAL GOVERNMENT of Application Number. 54004 October 17 Las Vegas Valley Water District Printed or typed name of applicant Underground Underground Underground Underground Underground or name of stream, lake, spring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water water also restrict further growth in the Pioche area.	Sirect No. of P.O. Box. 35, PIOCHE, NV. 89043 Street No. of P.O. Box. City, State and Zip Code LOCAL GOVERNMENT , and protests the grantin 54004 , filed on October 17 , 19 89 Ley Water District	whose post office address is P.O. BOX 35, PIOCHE, NV. 89043 The No. of P.O. Box. City, State and Zip Code The No. of P.O. Box. City, State and Zip Code The No. of P.O. Box. City, State and Zip Code The No. of P.O. Box. City, State and Zip Code The No. of P.O. Box. City, State and Zip Code The Application Number S4004 filed on October 17 19.85 The Application Number of States, lake, upring or other source The Appropriation of Underground reasons and on the following grounds, to wit: The Appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Denied (Denied, Issued subject to prior rights, sec., as the case may be) The Place or programm of the case may be) Signed Place or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 35 Signed or type games. If agent P. S. But 45 Signed or type games. If agent P. S. But 45 Signed or type games. If agent P. S. But 45 Signed or type games. If agent P. S. But 45 Signed or type games. If agent P. S. But 45 Signed or type games. If agent P. S. But 45 Signed or type games games games games games games games games games	whose post office address is. P.O. BOX 35, PIOCHE, NV. 89043 Street No. or P.O. Box. City, State and Zip Code LOCAL GOVERNMENT And protests the granting of Application Number. Application Number. 54004 Finited or typed name of applicant County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Denied (Denied, Issued subject to prior rights, sec., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed. Address. Placed or programm. Address. Placed or typed name. If agent P. S. B.J. 35 Signed. Address. Placed or typed name. If agent P. S. B.J. 35 Signed. Address. Placed or typed name. If agent P. S. B.J. 35 Signed. Placed or typed name. If agent P. S. B.J. 35 Signed. Placed or typed name. If agent P. S. B.J. 35 Signed. Placed or typed name. If agent P. S. B.J. 35 Signed. Placed or typed name. If agent P. S. B.J. 35 Signed. Placed or typed name. If agent P. S. B.J. 35 Signed. Placed or typed name. If agent P. S. B.J. 35 Signed. Placed or typed name. If agent P. S. B.J. 35 Signed. Placed or typed name. If agent P. S. B.J. 35 Signed. Placed or typed name. If agent P. S. B.J. 35 Signed. Placed or typed name. If agent P. S. B.J. 35		Piece j.
whose occupation is LOCAL GOVERNMENT , and protests the polymens of Application Number. 54004 , filed on October 17 Las Vegas Valley Water District to Printed or typed name of applicant to appropriate of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water walso restrict further growth in the Pioche area.	LOCAL GOVERNMENT	whose occupation is LOCAL GOVERNMENT, and protests the grantic flapplication Number. 54004, filed on October 17, 19.85 y Las Vegas Valley Water District, printed or typed name of applicant, and protests the grantic reters of, Underground, to appropriate the stream, take, spring or other source, situated in Lincoln, Underground or name of stream, take, spring or other source, and, and	whose occupation is LOCAL GOVERNMENT, and protests the grantic of Application Number	whose post office address is P.O. BOX 35	nited or typed name of protestant PTOCHE NV 900/2
Las Vegas Valley Water District Printed or typed name of applicant Underground Underground or the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water water further growth in the Pioche area.	Ley Water District Printed or typed name of applicant Cound firground or name of stream, lake, apring or other source for the following reasons and on the following grounds, to wit: tion of this water when added to the already approved s and dedicated users in the 184 Basin will exceed the ge and safe yield of the basin. Appropriation and use o e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Testant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper. Signed.	Application Number. 54004 , filed on October 17 , 19.85 Las Vegas Valley Water District	Application Number	St.	ireet No. or P.O. Box. City. State and 7 in Code
Las Vegas Valley Water District Printed or typed name of applicant Underground Underground Underground or name of stream, lake, spring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water walso restrict further growth in the Pioche area.	Ley Water District Printed or typed name of applicant cound Signed Signed Signed Signed Signed Lincoln	Application Number	In Application Number. 54004		and protests the granting
Las Vegas Valley Water District Printed or typed name of applicant Underground Underground or name of stream, take, apring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water water table restrict further growth in the Pioche area.	Printed or typed name of applicant COUND Printed or typed name of applicant COUND for the following reasons and on the following grounds, to wit: tion of this water when added to the already approved s and dedicated users in the 184 Basin will exceed the ge and safe yield of the basin. Appropriation and use o e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. testant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper.	Las Vegas Valley Water District Printed or typed name of applicant Auters of Underground Underground Situated in Lincoln In Situated In Lincoln Linc	Las Vegas Valley Water District Printed or typed name of applicant Underground Underground State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Orented State Engineer deems just and proper. Signed Address State Engineer deems just and proper. Address State Engineer deems just and proper. Printed or types name, if agent P. O. B.J. + 3.5 Street No. or P.O. Box No. Printed, NV 89047	of Application Number54004 filed on	October 17
Underground Underground or name of stream, take, spring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water water further growth in the Pioche area.	for the following reasons and on the following grounds, to wit: tion of this water when added to the already approved s and dedicated users in the 184 Basin will exceed the ge and safe yield of the basin. Appropriation and use o e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Restant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper.	Underground Underground or name of stream, lake, spring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed Address. Pische was 89047	Underground or name of stream, lake, spring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Denied (Denied, Based 100) prior (Ights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed Address. Piscel No. or 7.0. Box No.	y Las Vegas Valley Water District	
Underground or name of stream, lake, spring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approve appropriations and dedicated users in the 184 Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water water extracted further growth in the Pioche area.	for the following reasons and on the following grounds, to wit: tion of this water when added to the already approved s and dedicated users in the 184 Basin will exceed the ge and safe yield of the basin. Appropriation and use o e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Restant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper.	Underground or name of stream, lake, spring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. The protestant requests that the application be. Signed Address Printed or typed name, if agent to the printed of typed name, if agent to the printed or typed name, if agent to typed name, if agent to the printed or typed name, if agent t	Underground or name of stream, lake, spring or other source County, State of Nevada, for the following reasons and on the following grounds, to wit: The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. The protestant requests that the application be. Signed Agent or programm The protestant of typed name, if agent to the protestant of the protestant of typed name, if agent to the protestant of the p	Printed or typed name of	applicant to appropriate the
The appropriation of this water when added to the already approve appropriations and dedicated users in the ¹⁸⁴ Basin will exceed annual recharge and safe yield of the basin. Appropriation and uthis magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water walso restrict further growth in the Pioche area.	for the following reasons and on the following grounds, to wit: tion of this water when added to the already approved s and dedicated users in the 184 Basin will exceed the ge and safe yield of the basin. Appropriation and use of e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Testant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper. Signed	The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Denied (Denied, based subject to prior rights, etc., as the case may be) that an order be entered for such relief as the State Engineer deems just and proper. Signed Address Pigned or typed same, if agent July 37 Address Signed No. Problem	The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Denied (Denied, based subject to prior rights, etc., as the case may be) that an order be entered for such relief as the State Engineer deems just and proper. Signed Address Pigned or typed same, if agent July 37 Address Signed No. Problem	Underground or name of stream, lake, apring or o	situated in Lincoln
The appropriation of this water when added to the already approve appropriations and dedicated users in the ¹⁸⁴ Basin will exceed annual recharge and safe yield of the basin. Appropriation and this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water walso restrict further growth in the Pioche area.	s and dedicated users in the 184 Basin will exceed the ge and safe yield of the basin. Appropriation and use of e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Restant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper.	The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) defended that an order be entered for such relief as the State Engineer deems just and proper. Signed Address Pileto or typed name, if agent P. BJ + 35 Signed No. or P.O. Box No. Pileto, NV 89043	The appropriation of this water when added to the already approved appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) defended that an order be entered for such relief as the State Engineer deems just and proper. Signed Address Pileto or typed name, if agent P. BJ + 35 Signed No. or P.O. Box No. Pileto, NV 89043	ounty, State of Nevada, for the following reasons and	on the following grounds to mis-
appropriations and dedicated users in the ¹⁸⁴ Basin will exceed annual recharge and safe yield of the basin. Appropriation and users this magnitude will, lower the water table and degrade the quality water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water walso restrict further growth in the Pioche area.	s and dedicated users in the 184 Basin will exceed the ge and safe yield of the basin. Appropriation and use of e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Restant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) Restant reduced as the State Engineer deems just and proper.	appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Obenied (Denied, issued subject to prior rights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed. Agent or projection: Jhy Agent or pr	appropriations and dedicated users in the 184 Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Obenied (Denied, issued subject to prior rights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed. Agent or projection: Jhy Agent or pr		
annual recharge and safe yield of the basin. Appropriation and uthis magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water walso restrict further growth in the Pioche area.	ge and safe yield of the basin. Appropriation and use of ewill, lower the water table and degrade the quality of existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Testant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper.	annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Obenied (Denied, issued subject to prior rights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or progressant July 151/A Printed or typed name, if agent Address P. J. 131/4 35 Signed No. P. J. 163/4 35	annual recharge and safe yield of the basin. Appropriation and use of this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Obenied (Denied, issued subject to prior rights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or progressant July 151/A Printed or typed name, if agent Address P. J. 131/4 35 Signed No. P. J. 163/4 35		
this magnitude will, lower the water table and degrade the qualit water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water walso restrict further growth in the Pioche area.	e will, lower the water table and degrade the quality of e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. testant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper.	this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or protestant July 15 J	this magnitude will, lower the water table and degrade the quality of water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Denied (Denied, issued subject to prior tights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed. Agent or protestant The Company of the case may be address. Printed or typed same, if agent the case may be address. Signed No. or P.O. Box No. Printed or typed same, if agent the case may be address. Signed No. or P.O. Box No. Printed or VPC Bo	appropriations and dedicated use	rs in the 104 Basin will exceed the
water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water walso restrict further growth in the Pioche area.	e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Testant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper.	water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) id that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or projection: Printed or typed name, if agent P. J. By + 35 Stept No. or P.O. Box No. Pische, NV 89043	water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) id that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or projection: Printed or typed name, if agent P. J. By + 35 Stept No. or P.O. Box No. Pische, NV 89043	annual recharge and safe yield o	f the basin. Appropriation and use o
water from the existing wells. Users would incurr additional cost deepen their wells and install larger pumps. The lack of water walso restrict further growth in the Pioche area.	e existing wells. Users would incurr additional costs to wells and install larger pumps. The lack of water will further growth in the Pioche area. Testant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper.	water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) id that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or projection: Printed or typed name, if agent P. J. By + 35 Stept No. or P.O. Box No. Pische, NV 89043	water from the existing wells. Users would incurr additional costs to deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be. Denied (Denied, issued subject to prior rights, etc., as the case may be) id that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or projection: Printed or typed name, if agent P. J. By + 35 Stept No. or P.O. Box No. Pische, NV 89043	this magnitude will, lower the w	gater table and degrade the guality of
deepen their wells and install larger pumps. The lack of water water was also restrict further growth in the Pioche area.	wells and install larger pumps. The lack of water will further growth in the Pioche area. Testant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) ed for such relief as the State Engineer deems just and proper.	deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or typed name, if agent P. J. B.J. + 35 Suget No. or P.O. Box No. Pische, NV 89043	deepen their wells and install larger pumps. The lack of water will also restrict further growth in the Pioche area. THEREFORE the protestant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) and that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or typed name, if agent P. J. B.J. 35 Suget No. or P.O. Box No. Pische, NV 89043	***************************************	
also restrict further growth in the Pioche area.	restant requests that the application be	THEREFORE the protestant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) In that an order be entered for such relief as the State Engineer deems just and proper. Signed. Agent or projection: The Printed or typed name, if agent P. J. B. + 35 Suget No. or P.O. Box No. Pische, NV 89043	THEREFORE the protestant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) Indicate that an order be entered for such relief as the State Engineer deems just and proper. Signed. Signed. Printed or typed name, if agent P. J. But 35 Suget No. or P.O. Box No. Pische, NV 89043	water from the existing wells.	Users would incurr additional costs to
also restrict further growth in the Pioche area.	restant requests that the application be	THEREFORE the protestant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) In that an order be entered for such relief as the State Engineer deems just and proper. Signed. Agent or projection: The Printed or typed name, if agent P. J. B. + 35 Suget No. or P.O. Box No. Pische, NV 89043	THEREFORE the protestant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) Indicate that an order be entered for such relief as the State Engineer deems just and proper. Signed. Signed. Printed or typed name, if agent P. J. But 35 Suget No. or P.O. Box No. Pische, NV 89043	deepen their wells and install 1	arger pumps. The lack of water will
	testant requests that the application be	THEREFORE the protestant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) In that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or projection: Printed or typed name, if agent P. J. By + 35 Stept No. or P.O. Box No. Pische, NV 89043	THEREFORE the protestant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be) In that an order be entered for such relief as the State Engineer deems just and proper. Signed Agent or protestant Agent or protestant Agent or typed name, if agent Pinied or typed name, if agent P. D. By + 35 Suget No. or P.O. Box No. Plische, NV 89047		
THEREFORE the protestant requests that the application to Denied	Signed	Signed Agent or protestant Jhw his Ti Aw Printed or typed name, if agent Address Super No. or P.O. Box No. Pische, NV 89047	Signed	also restrict further arowth in	the Pioche area
THEREFORE the protestant requests that the application by	Signed	Signed Agent or protestant Jhw his Ti Aw Printed or typed name, if agent Address Super No. or P.O. Box No. Pische, NV 89047	Signed		one ricene area.
	Signed	Signed Agent or protestant Jhw his Ti Aw Printed or typed name, if agent Address Super No. or P.O. Box No. Pische, NV 89047	Signed		
(Denied, issued subject to prior rights, etc., as the case many	Signed	Signed Agent or protestant Jhw his Ti Aw Printed or typed name, if agent Address Super No. or P.O. Box No. Pische, NV 89047	Signed		
id that an order be entered for such relief as the State Engineer deems just and proper.	Signed In Oh	Signed Signed Agent or protestant Jhw Christian Printed or typed name, if agent P. J. But 35 Suget No. or P.O. Box No. Pische, NV 89043	Signed	THEREFORE the protestant requests that the applicat	tion be Denied
	Signed	Signed	Signed	THEREFORE the protestant requests that the applicat	tion be Denied
Signed	A	Address Pinted or typed name, if agent P. J. 13 4 35 Street No. or P.O. Box No. Pische, NV 89047	Address Pinted or typed name, if agent P. J. 13 4 35 Street No. or P.O. Box No. Pische, NV 89047	THEREFORE the protestant requests that the applicated that an order be entered for such relief as the State	tion be Denied
Agent or projection:	Agent or protestant	Address P.J. 13.7 35 Street No. or P.O. Box No. Placke NV 89047	Address P.J. 13.7 35 Street No. or P.O. Box No. Placke NV 89047	THEREFORE the protestant requests that the applicated that an order be entered for such relief as the State	tion be Denied
Dillio Christian		Address P.O. BJ + 35 Sign No. or P.O. Box No. Pische, NV 89043	Address P.O. BJ + 35 Sign No. or P.O. Box No. Pische, NV 89043	THEREFORE the protestant requests that the applicated that an order be entered for such relief as the State	tion be
	Juhn Christian	Street No. or P.O. Box No. Pische, NV 89047	Street No. or P.O. Box No. Pische, NV 89047	THEREFORE the protestant requests that the applicate d that an order be entered for such relief as the State	Engineer deems just and proper. Agent or projection
Address P.J. BJ 35	Printed or typed name, if agent			THEREFORE the protestant requests that the applicated that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projection Pfined or typed name, if agent
Address P.J. BJY 35	Address Printed or typed name, if agent P.O. BJ + 35			THEREFORE the protestant requests that the applicated that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or propertant That the first agent Printed or typed name, if agent
Address P.O. BJ + 35 Sugar No. or P.O. Box No.	Address Printed or typed name, if agent P.O. BJ 35 Street No. or P.O. Box No.		The state of the s	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projection Printed or typed name, if agent P. J. 13 + 35 Sirges No. or P.O. Box No.
Printed or typed name. If name	John Christian	Super No. or P.O. Box No. Pische, NV 89047	Super No. or P.O. Box No. Pische, NV 89047	THEREFORE the protestant requests that the applicate that an order be entered for such relief as the State	tion be
F URISU W LYDER DAME IT seems	Juhn Christian	Strott No. or P.O. Box No. Placke, NV 89047	Strott No. or P.O. Box No. Placke, NV 89047	THEREFORE the protestant requests that the applicate that an order be entered for such relief as the State	Engineer deems just and proper. Agent or projection Agent or projection Tuhar
	Printed or typed name, if agent	Street No. or F.O. Box No. Pische NV 89047	Street No. or F.O. Box No. Pische NV 89047	THEREFORE the protestant requests that the applicate that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projectant The Control of Springer (1986)
Address P.J. Bux 35	Printed or typed name, if agent	Pische, NU 89047	Pische, NU 89047	THEREFORE the protestant requests that the applicate that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projection Pfined or typed name, if agent
Address P.O. Bux 35	Printed or typed name, if agent P. J. B. 4 35			THEREFORE the protestant requests that the applicated that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projection Printed or typed name, if agent P.O. BJ + 35
Address P.O. BJ + 35 Suget No. or P.O. Box No.	Address Printed or typed name, if agent P. J. 13 4 35 Signst No. or P.O. Box No.	City, State and Zip Code No.	City, State and Zip Code No.	THEREFORE the protestant requests that the applicated that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projestant Jhw have a subject to prior rights, etc., as the case may be) Finited or typed name, if agent P. J. Buy 4 35 Sirget No. or F.O. Bos No.
Address P.J. BJ + 35 Sugar No. or P.O. Box No. Pische NU 89047	Address Printed or typed name, if agent P. J. B. 4 35 Street No. or P.O. Box No. Plyche, NV 89047		and the control of the	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projection Printed or typed name, if agent P. D. Bust A. Sirget No. or P.O. Bos. No. Pische NV 89047
Address P.O. 1314 35 Sign No. or P.O. Box No. Pliche, NU 89047	Address Printed or typed name, if agent P. J. B. 4 35 Street No. or P.O. Box No. Placke, NV 89047			THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projection Printed or typed name, if agent P. O. Bos No. Pische No. or P.O. Bos No. Pische NO. 89043
Address P.O. 1314 35 Siget No. or P.O. Box No. Pische NV 89047 City, State and Zip Code No.	Printed or typed name, if agent P. J. 13 + 35 Street No. or P.O. Box No. Place No. 89047 City, State and Zip Code No.		No. of the second secon	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or protestant Jhw MrisTiAw Printed or typed name, if agent P. J. BJ + 35 Street No. or P.O. Box No. Pische, NV 89047 City, State and Zip Code No.
Address P. J. 1314 35 Sirget No. or P.O. Box No. Pische Nu 89047 City, State and Zip Code No.	Printed or typed name, if agent P. J. 13 + 35 Street No. or P.O. Box No. Place No. 89047 City, State and Zip Code No.	bscribed and sworn to before me this9thday ofJuly	bscribed and sworn to before me this9thday of	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or protestant Jhw MrisTiAw Printed or typed name, if agent P. J. BJ + 35 Street No. or P.O. Box No. Pische, NV 89047 City, State and Zip Code No.
Address P.O. 1314 35 Siget No. or P.O. Box No. Pische NV 89047 City, State and Zip Code No.	Printed or typed name, if agent P. J. 13 + 35 Street No. or P.O. Box No. Place No. 89047 City, State and Zip Code No.	bscribed and sworn to before me this9thday of	bscribed and sworn to before me this 9th day of 111y 1990.	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or protestant Jhw MrisTiAw Printed or typed name, if agent P. J. BJ + 35 Street No. or P.O. Box No. Pische, NV 89047 City, State and Zip Code No.
Address P.O. BJ 4 35 Street No. or P.O. Box No. Pische NV 89047 City, State and Zip Code No.	Address Printed or typed name, if agent P. D. 1834 35 Sirget No. or P.O. Box No. Place No. 89047 City, State and Zip Code No.	bscribed and sworn to before me this 9th day of July 19.90	bscribed and sworn to before me this 9th day of July 19.90	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projection: Printed or typed name, if agent P. J. BJ + 35 Street No. or P.O. Box No. Pische, NV 89047 City, State and Zip Code No.
Address P. J. BJ + 35 Super No. or P.O. Box No. Pische Nu 89047 City, State and Zip Code No.	Printed or typed name, if agent P.O. 1814 35 Sirget No. or P.O. Box No. Plache NO 89047 City, State and Zip Code No.	bscribed and sworn to before me this	bscribed and sworn to before me this	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projection: Printed or typed name, if agent P. D. 13-4-35 Street No. or P.O. Box No. Pische, NV 89043 City, State and Zip Code No.
Address P. J. But 35 Super No. or P. O. Box No. Pische Nu 89047 City, State and Zip Code No. Discribed and sworn to before me this 9th day of July 1990.	Address Printed or typed name, if agent P.O. 1814 35 Signet No. or P.O. Box No. Pische No. 89043 City, State and Zip Code No. 19.90 Mella July 19.90	Mella Linh	Mella Linh	THEREFORE the protestant requests that the applicate d that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or projection Agent or typed name, if agent Discrete No. or P.O. Box No. Plisted and Zip Code No. Luly Luly 19 90 Luly Luly Lund Lund 19 90
Address P. D. Buy 35 Street No. or P.O. Box No. Pische NV 89047 City, State and Zip Code No. Della Motory Public Notory Public	Printed or typed name, if agent P. J. 13 + 35 Sirget No. or P.O. Box No. Pische, NV 89043 City, State and Zip Code No. Pland Address. 19 90. Notary Public	Mella Lynh Notary Public	Mella Lynh Notary Public	THEREFORE the protestant requests that the applicate d that an order be entered for such relief as the State Signed	Denied (Denied, issued subject to prior rights, etc., as the case may be) Engineer deems just and proper. Agent or projections Agent or projections That Mistrian Printed or typed name, if agent P. J. B. J. 35 Stream No. or P.O. Box No. Pische, NU 89043 City, State and Zip Code No. 19.90.
Address P. 0. 13 + 35 Suget No. or P. 0. Box No. Pische Nu 89047 City, State and Zip Code No. Discribed and sworn to before me this 9th day of July 19.90. Notary Public	Printed or typed name, if agent P.O. 13-14-35 Sirget No. or P.O. Box No. Pische No. 89043 City, State and Zip Code No. 19-90. Notary Public	Mella Lynd Notary Public	Mella Lynd Notary Public	THEREFORE the protestant requests that the applicate d that an order be entered for such relief as the State Signed	Denied (Denied, issued subject to prior rights, etc., as the case may be) Engineer deems just and proper. Agent or protestant Juha Printed or typed name, if agent Policy 13-14-35 Sirget No. or P.O. Box No. Pijs Che No. 8 9043 City, State and Zip Code No. 19-90. July Notary Public
Address P. D. But 35 Street No. or P. O. Box No. Pische NV 89043 City, State and Zip Code No. bscribed and sworn to before me this 9th day of July 19.90. Notery Public	Printed or typed name, if agent P.O. 13-14-35 Sirget No. or P.O. Box No. Pische No. 89043 City, State and Zip Code No. 19-90. Notary Public	Mella Lynh Notary Public	Mella Lynh Notary Public	THEREFORE the protestant requests that the applicate of that an order be entered for such relief as the State Signed	Denied (Denied, issued subject to prior rights, etc., as the case may be) Engineer deems just and proper. Agent or protestant Juha Printed or typed name, if agent Policy 13-14-35 Sirget No. or P.O. Box No. Pijs Che No. 8 9043 City, State and Zip Code No. 19-90. July Notary Public
Address P.O. But 35 Street No. or P.O. Box No. Pische NV 89043 City, State and Zip Code No. Discribed and sworn to before me this 9th day of July 19.90 Notary Public State of Nevada	Printed or typed name, if agent P. J. 13 J 35 Sirget No. or P.O. Box No. P. J. Ch. W. 89047 City, State and Zip Code No. P. J. Ch. W. 89047 City, State and Zip Code No. Notary Public State of Nevada	Mella Justino Notary Public State of Nevada	Mella Just Notary Public State of Nevada	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Denied (Denied, issued subject to prior rights, etc., as the case may be) Engineer deems just and proper. Agent or projectiant July Printed or typed name, if agent P. J. B. H. 35 Strget No. or P.O. Box No. Printed No. or P.O. Box No. Notary Public Nevada
Address P.O. 1314 35 Sign No. or P.O. Box No. Pische NU 89043 City, State and Zip Code No. 20 20 20 20 20 20 20 20 20 20 20 20 20 2	Address Printed or typed name, if agent P. D. 1837 35 Street No. or P.O. Box No. Pische NV 89043 City, State and Zip Code No. 19.90. Motary Public State of Nevada	Mella Justino Notary Public State of Nevada	Mella Just Notary Public State of Nevada	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or properstant Jhw Mristra Printed or typed name, if agent P. J. 13 + 35 Street No. or P.O. Box No. Printed with the work of the w
Address P. J. 13 3 Signst No. or P.O. Box No. Pische NV 89047 City, State and Zip Code No. Delta Notary Public State of Nevada	Address Printed or typed name, if agent P. D. 1814 35 Sirget No. or P.O. Box No. Pische NV 89043 City, State and Zip Code No. 19 90. Notary Public State of Nevada	Mella Justino Notary Public State of Nevada	Mella Just Notary Public State of Nevada	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or propersiant John Mr. 157/An Printed or typed name, if agent P. J. 13 + 35 Street No. or P.O. Box No. Place and Zip Code No. Luly. 19 90. July. Notary Public Nevada
Address P. O. But 4 35 Sirest No. or P.O. Box No. Pische NV 8 9047 City, State and Zip Code No. ubscribed and sworn to before me this Quid day of July 19.90. Notary Public State of Nevada	Address Printed or typed name, if agent P. J. 13 1 3 5 Street No. or P.O. Box No. Pijche NV 89043 City, State and Zip Code No. Pijche NV 89043 City, State and Zip Code No. 19.90. Notary Public State of Nevada	Mella Justino Notary Public State of Nevada	Mella Just Notary Public State of Nevada	THEREFORE the protestant requests that the applicate and that an order be entered for such relief as the State Signed	Engineer deems just and proper. Agent or propersiant July Printed or typed name, if agent P. J. B.J. 35 Street No. or P.O. Box No. Plist e. No. 89047 City, State and Zip Code No. 19.90. Notary Public Nevada

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

RECEIVED

IN THE MATTER OF APPLICATION NUMBER 54004

Filed by Las Vegas Valley Water District	PROTEST JUL 13 1990
ON October 17, 1989, TO APPROPRIATE THE	Div. of Water Resources
Waters of Underground	Brench Office - Las Vegas, NV
Tohn M Madawanth	
Comes now John M. Wadsworth	rd or typed name of protestant
whose post office address is P.O. Box 256; P.	Panaca, NV; 89042 H No. or P.O. Box, Chy, Siste and Zip Code
hose occupation is farmer/miner	and protests the granting
of Application Number 54004 , filed on	October 17
by Las Vegas Valley Water District Printed or typed name of ap	to appropriate the
waters ofUnderground	situated in Lincoln
Underground or name of stream, take, spring or other County, State of Nevada, for the following reasons and county	er source
The appropriation of this water when	added to the already approved appropri-
*	rea will exceed the annual recharge and
***************************************	of this magnitude will, lower the water
	er from existing wells, cause negative
생생님	mer cause other negative impacts and will
}	rerse to the public interest. The Panaca
	ep aquifers and this appropriation would
very likely be detrimental to that v	
THEREFORE the protestant requests that the application	(Denied, issued subject to prior rights, etc., as the case may be)
and that an order be entered for such relief as the State I	Engineer deems just and proper.
Signed	margaret a quadrural li
Ma	Margaret a. wadsworth rearet A. Wadsworth
· · · · · · · · · · · · · · · · · · ·	Printed or typed name. If agent
Address	P.O. Box 256 Street No. or P.O. Box No.
	Panaca, NV 89042 City, State and Zip Code No.
Subscribed and sworn to before me this 107 H	JULY 1090.
	4:10
NOTARY PUBLIC	Garl D. armsty
STATE OF NEVADA State of	***************************************
Gail D. Armstrong . County of My Appointment Expires Sept. 23, 1989	Li N CO LN
D ec4, 1993	
7) 7	

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE. ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

54004

IN THE MINITER OF APPLICATION NUMBER	
Filed by Las Vegas Valley Water District	PROTEST ****** (*****************************
on October 17, 1989, to Appropriate the	
WATERS OF Underground	
	. 1
Comes now Irvin Baker Edwards	nied or typed name of protestant
whose post office address is 3831 South 6460 West S	
	, and protests the granting
EHMH	October 17 19 89
by Las Vegas Valley Water District Printed or typed name of a	to appropriate the
waters ofUndergroundUnderground or name of stream, lake, spring or or	situated in Lincoln
County, State of Nevada, for the following reasons and	on the following grounds, to wit:
The subject application proposed, has obvi-	ously been formed without prior consideration
of a long term impact to surrounding count	ies. Nevada, known for its many miles of
desert land can't put a price on water. Th	is fact alone makes it impossible to project
dverse affects on the static water tables.	land owners, wildlife, and natural habitat.
Inasmuch as Las Vegas has willfully wasted	
shortage for Clark County we feel it our	
traction of water from our county.	
THEREFORE the protestant requests that the applica	ation be Denied (Denied, Issued subject to prior rights, etc., as the case may be)
and that an order be entered for such relief as the State	: Engineer deems just and proper.
Signed	From B. Edwards Agent or protestant
	Agent or protestant 1x 1x 1 x 1 x 3 x 4 x 4 x 4 x 4 x 4 x 4 x 4 x 4 x 4
	Printed or typed name, if agent
	s 3831 South 6460 V./est Street No. or P.O. Box No.
and the second of the second o	TLake City UTah 84120 City, State and Zip Code No.
Subscribed and sworn to before me thisday	of July 1990
	Dina) m Pino, and Mai
	Notary Public
State of	(UDI)
County	of Salt Jake

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

ሶ ⁄ሩ

2454 (Revised 6-80)

In the Matter of Application Number 5 4 00 4
FILED BY Las Vegas Valley Water District
on October 17, 1989, TO APPROPRIATE THE
Waters of Underground
1/1
Comes now Margaret H. Jones
whose post office address is P.O. Bex 387 Panaca, Nevada 89042
whose occupation is Retired
Application Number 54.004 , filed on October 1.7
by Las Vegas Valley Water District
Printed or typed name of applicant Waters of
Underground or name of stream, lake, spring or other saucesituated in Lincoln
County, State of Nevada, for the following reasons and on the following grounds, to wit:
The appropriation of this water when added to the already approved
appropriations and dedicated users in the 202 Basin will exceed the annual recharge
and safe yield of the basin Appropriate
and safe yield of the basin. Appropriation and use of this magnitude will, lower
water table and degrade the quality of water from existing wells, cause negative
nydraulic gradient influences, further cause other negative impacts and will
adversely affect existing rights adverse to the public interest.
THEREFORE the protestant requests that the application be Denied
and that an order be entered for such relief as the State Engineer deems just and proper.
business deems just and proper,
Signed Margaret H. Jones
Margaret H. Jones
Printed or typed name, if agent
Address 9 13 1 2 8 7 Street No. or P.O. Ben No.
Chy, State and Zip Code No.
Subscribed and sworn to before me this 10 day of 19 90
Notary Public-State Of Nevada COUNTY OF LINCOLN Notary Public Notary Public
ALICE C. SIMKINS My Appointment Expires Jan. 26, 1991 State of

Margaret Jones P.O. Box 287 Panaca, Nevada 89042 (54004)

PLEASE COMPLETE THIS FORM AND RETURN IT TO THE FOLLOWING ADDRESS:

Nevada Division of Water Resources Attn: Susan Joseph-Taylor

901 South Stewart Street, Suite 2002 Carson City, Nevada 89701-5250
Do you plan on attending the pre-hearing conference and the public administrative hearing that will be scheduled for a later date pertaining to your protest?YESNO
Do you plan on actively participating in the pre-hearing conference?YESNO
Do you plan on presenting a case-in-chief, that is testimony and evidence in support of your protest, at the public administrative hearing that will be scheduled for a later date? YES
If you do not plan on presenting a case-in-chief, do you plan on participating in cross-examination of the Applicant's witnesses?YESNO
If you plan on presenting a case-in-chief, will you be represented by legal counsel? YES_NO If yes, please provide the name, address, telephone number, fax number and email address of your legal counsel. Name: Address: Tel.: Fax: Fax: E-mail
Tel.: 9
The cost of the pre-hearing conference transcript and the hearing transcript will be borne by the applicant and protestants pro rata as set forth in Nevada Administrative Code 533.220.
This form must be returned to the address provided above by Friday, December 2, 2005.
If you have any questions, please contact Susan Joseph-Taylor at 775-684-2800.
Margaret Jones is my mother who is 87 yrs old and as degenerating mental health. She is no longer capable participating in matters such as this . 21 h 74
as degenerating mental health. She is no longer capable
participating in matters such as this Thank you. Margaret Ann Heiselbety 5/
Margaret Ann Heiselbety 5/

FILED BY <u>La</u>	of Application Number <u>5</u> as Vegas Valley Water Distr 17 , 1989, to Appropri Underground Sources	rict ,	PROTEST	
Comes n	ow Richard W. Form	nan, Agent for	Kirkeby Ranch	
	address is S.R. 5, Box 21,	Ely, Nevada Street No. or P. O. I	89301 Box, City, State and Zip Code	
whose occupation	is Ranching			and protests the grantin
of Application Nu	mber54004	, filed or	n October 17	, 19 <u>89</u>
by <u>the Las V</u>	Vegas Valley Water District			to appropriate th
waters of	Underground Sources Underground or name of stream, lake, spring or			
County State of 1	Underground or name of stream, take, spring or Nevada, for the following reasons	other source		
THEREF	ORE the protestant requests that	the application be	DENIED (Denied, issued subject to prior	rights, etc., as the case may be)
and that an order	be entered for such relief as the S	tate Engineer deem	s just and proper.	
		-: /	719	2
		Signed	Agent or protestant	
		Name	Richard W. Forman	
		Address	P. O. Box 150 Street No. or P. O. 1	Box No.
		Address	Ely, Nevada 89301 City, State and Zip	Code No.

REASONS AND GROUNDS FOR PROTEST

- 1. The granting of this application, in conjunction with any other applications filed by the Las Vegas Valley Water District in this basin, will impair, conflict and interfere with all existing water rights, sources and uses.
- 2. If granted, the allocation of ALL unappropriated waters in this ground water basin would adversely affect all agricultural operations, including but not limited to the following:
 - a. It will adversely affect the economic welfare of all farms and ranches.
 - b. It will destroy the environmental balance by eliminating the natural surface moistures and reducing the humidity levels which creates the natural growing environment of the surrounding areas, thereby destroying the grazing lands, wetlands and farm lands.
 - c. It will halt all potential agricultural growth.
 - d. It will destroy each agricultural operation because they will be unable to continue to operate or expand.
- 3. Eastern Nevada has had severe drought conditions for the past three (3) years which has created the following hardships on all cattlemen:
 - a. The grazing areas do not have sufficient feed to support the cattle.
 - b. The surface waters are insufficient for irrigation and stockwatering.
 - c. The water tables are lowering making it very difficult and expensive to pump any water.
 - d. The cattlemen will have to cut their herds, which affects the economic welfare of everyone within the State of Nevada, especially the surrounding communities.

If the drought creates this many hardships, the continual removal of the periennial yield by the Las Vegas Valley Water District WILL destroy all ranching operations as well as the whole environment of each basin.

- 4. There are different flow systems that underlie the State of Nevada. "These flow systems link the ground water beneath many of the hydrolgic basins over distances greater than 200 miles. The implications of this linkage are immense. While the water taken from a basin may be within the perennial yield of that basin, areas as far away as 200 miles may experience drawdown, and the negative impacts associated with this phenomenon (Intertech Consultants, Inc. 1990).
- Clark County must grow only within the limits of their natural resources or the environmental and socioeconomic balance of the State of Nevada will be destroyed.
- 6. The State Engineer must consider all of the future environ-

REASONS AND GROUNDS FOR PROTEST

- 1. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking to appropriate over 810,000 acre-feet of ground water for municipal use within the service area of the District in Clark County. Diversion and export of such a quantity of water will lower the static water level in this basin, will adversely affect the quality of remaining ground water and will further threaten springs, seeds and phreatophytes which provide water and habitat critical to the survival of wildlife, grazing livestock and other surface area existing uses.
- 2. The appropriation of this water when added to the already approved appropriations and dedicated users in this basin will exceed the safe yield of the basin. Appropriation and use of this magnitude will lower the water table and degrade the quality of water from existing wells, cause negative hydraulic gradient influences, further cause other negative impacts and will adversely affect existing rights adverse to the public interest.
- 3. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of over 860,000 acre-feet of ground and surface water for municipal use in the Las Vegas Valley Artesian Basin. Diversion and export of such a quantity of water will deprive the county and area of origin of the water needed for its environment and economic well being and will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.
- 4. The granting or approving of the subject Application in the absence of comprehensive planning, including but not limited to environmental impact considerations, socioeconomic impact considerations, and water resource plan consideration for the general Las Vegas Valley area such as has been required by the Public Service Commission of private purveyors of water, is detrimental to the public welfare and interest.
- The granting or approving of the subject Application in the absence of comprehensive water resource development planning, including but not limited to, environmental impacts socioeconomic impacts, and long term impacts on the water resource, threatens to prove detrimental to the public interest.
- 6. The granting or approval of the above-referenced Application would be detrimental to the public interest in that it individually and cumulatively with other applications of the water exploration project would:
 - a. Likely jeopardize the continued existence of endangered and threatened species recognized under the Endangered Species Act and related state statutes;
 - b. Prevent or interfere with the conservation of those threatened or endangered species;
 - c. Take or harm those endangered species; and
 - d. Interfere with the purpose for which the Federal lands are managed under Federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
- 8. The approval of the subject Application will sanction and enhance the willful waste of water allowed, if not encouraged, by the Las Vegas Valley Water District.
- The subject Application seeks to develop the water resources of, and transport water across, lands of the United States under the jurisdiction of the United States Department of Interior, Burcau of Land Management. This Application should be denied because the Las Vegas Valley Water District has not obtained right-or-way for water development on public lands and the transportation of water from the proposed point of diversion to the service area of the Las Vegas Valley Water District in Clark County.
- 10. This Application should be denied because it individually and cumulatively will increase the waste of water and lack of effective conservation efforts in the Las Vegas Valley Water District service area.

- 12. The above-referenced Application should be denied because the application fails to include the statutorily required:
 - a. Description of proposed works;
 - b. The estimated cost of such works;
 - c. The estimated time required to construct the works and the estimated time required to complete the application of water to beneficial use; and
 - The approximate number of persons to be served and the approximate future requirement.
- 13. The subject Application should be denied because it individually and cumulatively with other Applications will exceed the safe yield of this basin thereby adversely affecting Prederal Statutes, including but not limited to, the Clean Air Act and Chapter 445 of the Nevada Revised Statutes.
- 14. This Application cannot be granted because the applicant has failed to provide information to enable the State Engineer to grant the public interest properly. This Application and renot properly be determined without an independent, formal and publicly-reviewable assessment of:
 - a. cumulative impacts of the proposed extractions;
 - b. mitigation measures that will reduce the impacts of the proposed extractions;
 - c. alternatives to the proposed extractions, including but not limited to, the alternatives of no extraction and mandatory and effective water conservation in the LVVWD
- 15. The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to the aforementioned applications filed pursuant to NRS 533.365.
- 16. In as much as a water extraction and trans-basin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all right to amend the subject protest to include such issues as they develop as a result of further study.

STATE ENGINEERS OFF ILT

97: 7d 6- 70r 06.

IN THE MATTER OF APPLICATION NUMBER 54004	
FILED BY Las Vegas Valley Water District	
ON October 17, 1989, TO APPROPRIATE THE	PROTEST
·	
Waters of Underground	
Panaca Irrigation Co.	
whose post office address is P.O. Box 76, Panaca,	or typed name of protestant NV 89042
Water Conservation	No. or P.O. Box, City, State and Zip Code
of Application Number 54004, filed on	October 17
by Las Vegas Valley Water District	17 17
Printed or typed name of appl waters ofUnderground	
Underground or name of stream, lake, spring or other	source Lincoln
County, State of Nevada, for the following reasons and or	the following grounds, to wit:
This application is one of 144 application	ons filed by the Las Vegas Valley
Water District seeking a combined appropr	riation of ground and surface water
for municipal use in the Las Vegas Valley	y Artesian Basin. Diversion and
export of such a quantity of water will of	deprive the county and area of origin
of the water needed for its environment a	and economic well being and mill
unnecessarily destroy environmental, ecol	logical, scenic and recreational
values that the State hold in trust for a	all its citizens.
***************************************	***************************************
THEREFORE the protestant requests that the application	n beDenied
and that an order be entered for such relief as the State Er	After the Annual Control of the Cont
	1. 1
Signed	1/ terquion
\$*************************************	Agent or protestant
, Address	Printed or typed name, if agent
	Street No. or P.O. Box No.
**************************************	Chy, State and Zip Code No.
Subscribed and sworn to before me this 27# day of	JULY 199.0
The state of the s	100
NOTARY PUBLIC	Notary Public
STATE OF NEVADA County of Lincoln Could Dear State of	IEV A DA

In the Matter of Application Number 54004	
FILED BY LAS Yegas Valley Water District	
ON October 17, 1989, TO APPROPRIATE THE	
Waters of Underground	
Comes now Amolia Sonnesberg	
whose post office address is PO Box DI Printed or typed hame of protestant PO DOCO NV 89042	
whose occupation is Medical Assistant	
Application Number 54004 filed on October 17	
by Las Vegas Valley Water District	
Printed or tweet name of anything	
waters of Underground Underground or name of stream, lake, spring or other source Lincoln	
County, State of Nevada, for the following records	
County, State of Nevada, for the following reasons and on the following grounds, to wit:	
Granting or approval of the above-referenced Application would	
be detrimental to the public interest in that it would likely	
jeopardize the continued existence of endangered and threatened	
apecies, lower the state	
apecies, lower the static water level, will adversely affect the	
Tremaining ground water and will further threaten spring	
phreatophytes which provide water and hobitat	
survival of wildlife, grazing livestock and other surface area existing uses.	
g rivestock and other surface area existing uses.	
THEREFORE the protestant requests that the application beDenied	
and that an order be entered for such solids and the angles and that an order be entered for such solids and the case may be and that an order be entered for such solids and the case may be and that an order be entered for such solids and the case may be and that an order be entered for such solids and the case may be a such as a such solids and the case may be a such as a such solids and the case may be a such	
and that an order be entered for such relief as the State Engineer deems just and proper.	
A	
Signed Camplea Chomas her	
Agent of protestant	
- Amelia Somacheth	
Printed or typed name, if agent	
Address PO BA 271	
Panaca Street No. or P.O. Box No.	
City, State and Zip Code No.	
Subscribed and sworn to before me this	
day of19_90	
Jalie K. Simkin	
Notary Public-State Of Nevada COUNTY OF LINCOLN Notary Public	
ALICE C. SIMKINS My Appointment Expires State of	
Jan. 26; 1991 County of C	

In the Matter of Application Number 54004 Filed By Las Vegas Valley Water District on October 17, 1989, to Appropriate the Waters of underground

PROTEST

RECEIVED

JUL 12 1990

Div. of Water Resources
Branch Office · Las Vegas. NV

Comes now the Toiyabe Chapter of the Sierra Club whose post office address is P.O. Box 8096, Reno, NV 89507 whose occupation is a nonprofit organization dedicated to explore, enjoy and protect the wild places of the earth, and protests the granting of Application Number 54004, filed on October 17, 1989 by the Las Vegas Valley Water District to appropriate the waters of underground situated in Lincoln County, State of Nevada, for the following reasons and on the following grounds, to wit:

1. Application 54004 lies on the edge of the Fortification Range Wilderness Study Area, an area managed by the U.S. Bureau of Land Management, for possible wilderness designation by the U.S. Congress. The area is roadless and is presently managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; and (3) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

The granting or approval of the above-referenced Application would be detrimental to the public interest in that it, individually and together with the other applications of the water importation project, would:

- 1. interfere with the purpose for which the federal lands are managed under federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976 and be inconsistent with Federally owned water rights as to lands affected by this application.
- 2. require the construction of facilities to transport the water across lands of the United States under the jurisdiction of the United States Department of Interior (including the Bureau of Land Management). This application should be denied because the Las Vegas Valley Water District has not obtained the necessary legal interest (e.g., right-of-way) in the federal land such that the applicant may extract, develop and transport water resources from the proposed point of diversion to the proposed place of use.
- 3. encourage the willful waste of water that has been allowed, if not encouraged, by the Las Vegas Valley Water District; consequently, the water will not be put to beneficial use.

In the Matter of Application Number 54004
Filed By Las Vegas Valley Water District
on October 17, 1989, to Appropriate the
Waters of underground

PROTEST

Comes now the Toiyabe Chapter of the Sierra Club whose post office address is P.O. Box 8096, Reno, NV 89507 whose occupation is a nonprofit organization dedicated to explore, enjoy and protect the wild places of the earth, and protests the granting of Application Number 54004, filed on October 17, 1989 by the Las Vegas Valley Water District to appropriate the waters of underground situated in Lincoln County, State of Nevada, for the following reasons and on the following grounds, to wit:

1. Application 54004 lies on the edge of the Fortification Range Wilderness Study Area, an area managed by the U.S. Bureau of Land Management, for possible wilderness designation by the U.S. Congress. The area is roadless and is presently managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; and (3) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

The granting or approval of the above-referenced Application would be detrimental to the public interest in that it, individually and together with the other applications of the water importation project, would:

- 1. interfere with the purpose for which the federal lands are managed under federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
- 2. require the construction of facilities to transport the water across lands of the United States under the jurisdiction of the United States Department of Interior (including the Bureau of Land Management). This application should be denied because the Las Vegas Valley Water District has not obtained the necessary legal interest (e.g., right-of-way) in the federal land such that the applicant may extract, develop and transport water resources from the proposed point of diversion to the proposed place of use.
- 3. encourage the willful waste of water that has been allowed, if not encouraged, by the Las Vegas Valley Water District; consequently, the water will not be put to beneficial use.

- 4. be premature in that the Las Vegas Valley Water District lacks the financial capability for developing and transporting water under the subject permit which is a prerequisite to putting the water to beneficial use.
- 5. divert and export a sufficient quantity of water to lower the static water level in the area of the application and affect the quality of remaining ground water; further threaten springs, seeps and phraetophytes which provide water and habitat critical to the survival of wildlife.
- 6. impair wetlands and waters in the area of the application to support migratory birds, native fish, and other wildlife in conflict with Federal laws that seek to protect wetlands, migratory birds, and wildlife for the benefit of all.
- 7. in the absence of comprehensive planning, lead to a further degradation of the quality of life and the environment in the southern Nevada region with the most likely result being a further degradation of air quality in an area that presently exceeds Federal air quality standards established by the Clean Air Act for the protection of human health.
- 8. sanction water mining.
- 9. fail statutory requirements for a:
 - (a) description of the place of use;
 - (b) description of the proposed works;
 - (c) estimated cost of such works; and
 - (d) estimated time required to put the subject water to beneficial use.
- 11. be premature in that insufficient data has been provided to demonstrate that water of sufficient quantity and quality can be provided to the Las Vegas metropolitan area without adverse impacts on the environment.

Inasmuch as a water extraction and transbasin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further information and study. Accordingly, the protestant reserves the right to amend the subject protest to include such issues as they may develop as a result of further information and study.

The undersigned additional incorporates by reference as though fully set forth herein and adopts as his [her/its] own, each and every other protest to the aforementioned application filed pursuant to NRS 533.365.

THEREFORE the protestant requests that the application be $\underline{\text{denied}}$ and that an order be entered for such relief as the State Engineer deems just and

Signed	D'IluBe
	David W. Brickey, Southern Nevada Group
	Conservation Chair
Address	2068 N. Nellis Blvd. #105
	Las Vegas, NV 89115
Subscribed and sworn to before me this Notary Public-State Of Nevada COUNTY OF CLARK Catherine Sloan Cunningham My Appointment Expires Sept 10 1990	
\$10 00 EILING EEE MUCT ACCOMPANY PROTE	T DD0TECT WOT DE ELLES IN DOLL

\$10.00 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE. ALL COPIES MUST CONTAIN <u>ORIGINAL</u> SIGNATURE.

PECEIVE JUL 12 199(
Div. of Water Resources
Branch Office · Las Vegas, NV

STALL -

30 % 13 BS M2

FILED BY <u>Las Vegas Valley Water District</u> , ON <u>October 17</u> , 19 <u>89</u> , TO APPROPRIATE THE WATERS OF <u>Underground Sources</u>	} PROTEST
Comes now Richard W. Forman, Ag	gent for Gordon D. Eldridge typed name of protestant
whose post office address is S.R. 1, Box 47A, Ely,	Nevada 89301 st No. or P. O. Box. City. State and Zip Code
whose occupation is Rancher	and protests the granting
of Application Number 54004	, filed on <u>October 17</u> , 19 <u>89</u>
by the Las Vegas Valley Water District Printed or typed name of ap	to appropriate t
waters of Underground Sources Underground or name of sprinted or other source	
Underground or name of stream, take, spring or other source County, State of Nevada, for the following reasons and on t	
Please See Attachments.	
Please See Attachments.	
	DENIED
THEREFORE the protestant requests that the appli	(Denied, issued subject to prior rights, etc., as the case may be)
	(Denied, issued subject to prior rights, etc., as the case may be)
THEREFORE the protestant requests that the appliand that an order be entered for such relief as the State Engin	(Denied, issued subject to prior rights, etc., as the case may be)
THEREFORE the protestant requests that the appliand that an order be entered for such relief as the State Engineering	(Denied, issued subject to prior rights, etc., as the case may be) ineer deems just and proper.
THEREFORE the protestant requests that the appliand that an order be entered for such relief as the State Engineering Signal Na	(Denied, issued subject to prior rights, etc., as the case may be) ineer deems just and proper. gned Agent or protestant Richard W. Forman, Agent
THEREFORE the protestant requests that the appliand that an order be entered for such relief as the State Engineering Signal Na Acceptable (Control of the Control of the C	(Denied, issued subject to prior rights, etc., as the case may be) ineer deems just and proper. gned Agent or protestant Richard W. Forman, Agent Printed or typed name, if agent ddress P. O. Box 150

REASONS AND GROUNDS FOR PROTEST

- 1. The granting of this application, in conjunction with any other applications filed by the Las Vegas Valley Water District in this basin, will impair, conflict and interfere with all existing water rights, sources and uses.
- 2. If granted, the allocation of ALL unappropriated waters in this ground water basin would adversely affect all agricultural operations, including but not limited to the following:
 - a. It will adversely affect the economic welfare of all farms and ranches.
 - b. It will destroy the environmental balance by eliminating the natural surface moistures and reducing the humidity levels which creates the natural growing environment of the surrounding areas, thereby destroying the grazing lands, wetlands and farm lands.
 - c. It will halt all potential agricultural growth.
 - d. It will destroy each agricultural operation because they will be unable to continue to operate or expand.
- 3. Eastern Nevada has had severe drought conditions for the past three (3) years which has created the following hardships on all cattlemen:
 - a. The grazing areas do not have sufficient feed to support the cattle.
 - b. The surface waters are insufficient for irrigation and stockwatering.
 - c. The water tables are lowering making it very difficult and expensive to pump any water.
 - d. The cattlemen will have to cut their herds, which affects the economic welfare of everyone within the State of Nevada, especially the surrounding communities.

If the drought creates this many hardships, the continual removal of the periennial yield by the Las Vegas Valley Water District WILL destroy all ranching operations as well as the whole environment of each basin.

- 4. There are different flow systems that underlie the State of Nevada. "These flow systems link the ground water beneath many of the hydrolgic basins over distances greater than 200 miles. The implications of this linkage are immense. While the water taken from a basin may be within the perennial yield of that basin, areas as far away as 200 miles may experience drawdown, and the negative impacts associated with this phenomenon (Intertech Consultants, Inc. 1990).
- 5. Clark County must grow only within the limits of their natural resources or the environmental and socioeconomic balance of the State of Nevada will be destroyed.
- 6. The State Engineer must consider all of the future environ-

REASONS AND GROUNDS FOR PROTEST

- 1. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking to appropriate over 810,000 acre-feet of ground water for municipal use within the service area of the District in Clark County. Diversion and export of such a quantity of water will lower the static water level in this basin, will adversely affect the quality of remaining ground water and will further threaten springs, seeds and phreatophytes which provide water and habitat critical to the survival of wildlife, grazing livestock and other surface area existing uses.
- 2. The appropriation of this water when added to the already approved appropriations and dedicated users in this basin will exceed the safe yield of the basin. Appropriation and use of this magnitude will lower the water table and degrade the quality of water from existing wells, cause negative hydraulic gradient influences, further cause other negative impacts and will adversely affect existing rights adverse to the public interest.
- 3. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of over 860,000 acre-feet of ground and surface water for municipal use in the Las Vegas Valley Artesian Basin. Diversion and export of such a quantity of water will deprive the county and area of origin of the water needed for its environment and economic well being and will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.
- 4. The granting or approving of the subject Application in the absence of comprehensive planning, including but not limited to environmental impact considerations, socioeconomic impact considerations, and water resource plan consideration for the general Las Vegas Valley area such as has been required by the Public Service Commission of private purveyors of water, is detrimental to the public welfare and interest.
- 5. The granting or approving of the subject Application in the absence of comprehensive water resource development planning, including but not limited to, environmental impacts socioeconomic impacts, and long term impacts on the water resource, threatens to prove detrimental to the public interest.
- 6. The granting or approval of the above-referenced Application would be detrimental to the public interest in that it individually and cumulatively with other applications of the water exploration project would:
 - a. Likely jeopardize the continued existence of endangered and threatened species recognized under the Endangered Species Act and related state statutes;
 - b. Prevent or interfere with the conservation of those threatened or endangered species;
 - c. Take or harm those endangered species; and
 - d. Interfere with the purpose for which the Federal lands are managed under Federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
- 8. The approval of the subject Application will sanction and enhance the willful waste of water allowed, if not encouraged, by the Las Vegas Valley Water District.
- 9. The subject Application seeks to develop the water resources of, and transport water across, lands of the United States under the jurisdiction of the United States Department of Interior, Bureau of Land Management. This Application should be denied because the Las Vegas Valley Water District has not obtained right-or-way for water development on public lands and the transportation of water from the proposed point of diversion to the service area of the Las Vegas Valley Water District in Clark County.
- 10. This Application should be denied because it individually and cumulatively will increase the waste of water and lack of effective conservation efforts in the Las Vegas Valley Water District service area.

- 12. The above-referenced Application should be denied because the application fails to include the statutorily required:
 - a. Description of proposed works;
 - The estimated cost of such works;
 - c. The estimated time required to construct the works and the estimated time required to complete the application of water to beneficial use; and
 - The approximate number of persons to be served and the approximate future requirement.
- 13. The subject Application should be denied because it individually and cumulatively with other Applications will exceed the safe yield of this basin thereby adversely affecting phreatophytes and create air contamination and air pollution in violation of State and Federal Statutes, including but not limited to, the Clean Air Act and Chapter 445 of the
- 14. This Application cannot be granted because the applicant has failed to provide information to enable the State Engineer to grant the public interest properly. This Application and related applications associated with this major withdrawal out of the basin transfer project cannot properly be determined without an independent, formal and publicly-reviewable assessment of:
 - a. cumulative impacts of the proposed extractions;
 - mitigation measures that will reduce the impacts of the proposed extractions;
 - c. alternatives to the proposed extractions, including but not limited to, the alternatives of no extraction and mandatory and effective water conservation in the LVVWD service area.
- 15. The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to the aforementioned applications filed pursuant to NRS 533.365.
- 16. In as much as a water extraction and trans-basin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further study. Accordingly, the protestant reserves the ther study.

STATE ENGINEERS OFF ILL

97: 7d 6-70r 06.

In the Matter of Application Number 54004

FILED BY LAS Vegas Valley Water District	PROTEST
on October 17, 1989, TO APPROPRIATE THE	
WATERS OF Underground	
,	
Comes now Glen W Harper	rd or typed name of protestan
whose post office address is FO BOX 3/2	Panaca VV 89042 It No. or P.O. Box, Chy, State and Zip Gode
whose occupation is	and protests the granting
of Application Number 54004, filed on	October 17 19.89
by Las Vegas Valley Water District	rollicant to appropriate the
Printed or typed name of ap waters ofUnderground	. Timeste
Underground or name of stream, lake, spring or othe County, State of Nevada, for the following reasons and county.	et aguice
This application is one of 144 applicat	ions filed by the Las Vegas Valley
Water District seeking a combined appro	
for municipal use in the Las Vegas Valle	
export of such a quantity of water will	
of the water needed for its environment unnecessarily destroy environmental, eco	and economic well being and will
values that the State hold in trust for	all its citizens.
THEREFORE the protestant requests that the applicati	on he Denied
	(Denied, issued subject to price rights, etc., to the case man had
and that an order be entered for such relief as the State I	Engineer deems just and proper,
Signed	Cemeda
	Agent or protestant
Address	PO Roy 310
Address	Panaca MV 89042
	City, Sinte and Zip Code No.
Subscribed and sworn to before me thisday of	July 19 90
	Carried R
JANICE BARR	Notary Public
MOTARY PUBLIC - STATE of MEVADA Lincoln County - Nevada	Nevada

In the Matter of Application Nui	54004		
FILED BY LAS Vegas Valley Wa	ter District	PROTEST	
on October 17, 1989,	TO APPROPRIATE THE		
WATERS OF Underground	***************************************		
			•
	Dr. Dan A. Lov	v/ea	
Comes now	Print	ed or typed name of protestant Caliente, NV 89008	**************************************
	***************************************	. 4 = 0 4 0 4 0 0 0 0 0 0 0 0 0 0 0 0 0 0	************
whose occupation is	veterinarian		, and protests the granting
of Application Number 54004	, filed on	October 17	, 19.89
by Las Vegas Valley Wate	er District	oplicant	to appropriate the
waters of Underground	rimes or types asine or a	situated in	Lincoln
County, State of Nevada, for the			
Inasmuch as a water extra			
of this magnitude has nev			
affects without further s	tudy. Accordi	ngly, the protestan	t reserves
the right to amend the su	bject protest	to include such iss	ues as
the <u>y develop as a result</u>			
		A 1 A.	4
	1900-0 4	* = 1000 0 000 000 000 000 000 000 000 00	***************************************
THEREFORE the protestant re	quests that the applicat	ion beDenied	
and that an order be entered for s	uch relief as the State	(Denied, issued subject to pris	
•		A proper	
	Signed	Wan Love	DUM
	***************************************	Agent or protestan	
,	P.	Printed or typed name, if O. Box 93	**************************************
		Street No. or P.O. Box	No.
	··············	City, State and Zip Cod	
Subscribed and sworn to before me	e this 9 day of	July 196	,
THE PERSON OF THE PERSON IN	uay oi	19	•• •
		Janiel Sa	\sim
JANICE BA		Neva da. Notary Public	

In the Matter of Application Number 54004, Filed by the Las Vegas Valley Water District on October 17, 1989, to appropriate the waters of Lincoln County.

Ş -....

PROTEST

Comes now THE CITY OF CALIENTE whose post office address is

POST OFFICE BOX 158, CALIENTE, NEVADA 89008 whose occupation is

MUNICIPALITY/WATER PURVEYOR, and protest the granting of

Application Number 54004, filed on October 17, 1989 by the Las

Vegas Valley Water District to appropriate the waters of

underground situated in Lincoln County, State of Nevada, for the

following reasons and on the following grounds, to wit:

(See Attachment)

THEREFORE the protestant requests that the application be DENIED and that an order be entered for such relief as the State Engineer deems just and proper.

Signed

George T. Rowe, Mayor

Address P.O. Box 158

Caliente, Nevada 89008

Subscribed and sworn to before me this _____ day of

Jauly, 1990.

State of Nevada

APPLICATION NO. 54004

LIST OF REASONS TO PROTEST THE LAS VEGAS VALLEY WATER DISTRICT APPLICATIONS TO APPROPRIATE GROUND AND SURFACE WATER FROM CENTRAL, EASTERN AND SOUTHERN NEVADA

- 1. This Application is one of 145 applications filed by the Las Vegas Valley Water District seeking to appropriate 804,195 acre feet of ground water primarily for municipal use within Clark County. Diversion and export of such quantity of water will: lower the static water level in Spring Valley Basin; adversely affect the quality of remaining ground water; and further threaten springs, seeps and phreatophytes which provide water and habitat critical to the survival of wildlife and grazing livestock.
- 2. The appropriation of this water when added to the already approved appropriations and existing uses in the Spring Valley Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will: lower the static water level and degrade the quality of water from existing wells and cause negative hydraulic gradient influences as well as other negative impacts.
- 3. This Application is one of 146 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of some 864,195 acre feet of ground and surface water primarily for municipal use in Clark County. Diversion and export of such a quantity of water will deprive the area of origin of the water needed to protect and enhance its environment and economic well being, and the diversion will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.
- 4. The granting or approving of the subject Application in the absence of comprehensive planning, including but not limited to environmental impact considerations, cost considerations, socioeconomic impact considerations, and a water resource plan (such as is required by the Public Service Commission of private purveyors of water) for the Las Vegas Valley Water District Service area is detrimental to the public welfare and interest.
- 5. The granting or approval of the above-referenced Application would conflict with or tend to impair existing rights in the Spring Valley Basin because if granted it would exceed the safe yield of the subject basin and unreasonably lower the static water level and sanction water mining.
- 6. The granting or approval of the above referenced Application would be detrimental to the public interest in that it, individually and together with the other applications of the water importation project, would:
 - (a) Likely jeopardize the continued existence of endangered

and threatened species recognized under the federal Endangered Species Act and related state statutes;

- (b) Prevent or interfere with the conservation of those threatened or endangered species;
- (c) Take or harm those endangered or threatened species; and
- (d) Interfere with the purpose for which the federal lands are managed under federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
- 7. The approval of the subject application will sanction and encourage the willful waste of water that has been allowed, if not encouraged, by the Las Vegas Valley Water District.
- 8. The subject Application seeks to develop and transport water resources on and across lands of the United States under the jurisdiction of the United States Department of Interior, Bureau of Land Management. This application should be denied because the Las Vegas Valley Water District has not obtained necessary legal interest (e.g., right-of-way) in the federal land such that the applicant may extract, develop and transport water resources from the proposed point of diversion to the proposed place of use.
- 9. The Application should be denied because it individually and cumulatively with other applications of the water importation project will perpetuate and may increase the inefficient use of water in the Las Vegas Valley Water District service area and frustrate efforts at water demand management in the Las Vegas Valley Water District service area.
- 10. The Las Vegas Valley Water District lacks the financial capability for developing and transporting water under the subject permit which is a prerequisite to putting the water to beneficial use.
- 11. The above-referenced Application should be denied because it fails to include the statutorily required:
 - (a) Description of the place of use;
 - (b) Description of the proposed works;
 - (c) The estimated cost of such works; and
 - (d) The estimated time required to put the subject water to beneficial use.
- 12. The subject Application should be denied because it individually and cumulatively with other applications of the proposed project will exceed the safe yield of the Spring Valley Basin thereby adversely affecting phreatophytes and creating air contamination and air pollution in violation of State and Federal

Statutes, including but not limited to, the Clean Air Act and Chapter 445 of the Nevada Revised Statutes.

- 13. The Application cannot be granted because the applicant has failed to provide information to enable the State Engineer to safeguard the public interest properly. The adverse effects of this Application and related applications associated with the proposed water appropriation and transportation project (largest appropriation of ground water in the history of the State of Nevada) cannot properly be evaluated without an independent, formal and publicly-reviewable assessment of:
 - (a) cumulative impacts of the proposed extraction;
 - (b) mitigation measures that will reduce the impacts of the proposed extraction;
 - (c) alternatives to the proposed extraction, including but not limited to, the alternatives of no extraction and aggressive implementation of all proven and cost-effective water demand management strategies.
- 14. The subject application should be denied because the population projects upon which the water demand projections are based are unrealistic and ignore numerous constraints to growth, including traffic congestion, increased costs of infrastructure and services, degraded air quality, etc.
- 15. The subject application should be denied because previous and current conservation programs instituted by the Las Vegas Valley Water District are ineffective public-relations oriented efforts that are unlikely to achieve substantial water savings. Public policy and public interest considerations should preclude the negative environmental and socio-economic consequences of the proposed transfers on areas of origin when the potential water importer has failed to make a good-faith effort to efficiently use currently available supplies.
- 16. The subject Application should be denied because the enormous costs of the project will result in water rate increases of such magnitude that demand will be substantially reduced, thereby rendering the water transfer unnecessary.
- 17. The granting or approval of the above-referenced Application would be detrimental tot he public interest and not made in good faith since it would allow the Las Vegas Valley Water District to lock up vital water resources for possible use sometime in the distant future beyond current planning horizons.
- 18. The subject Application should be denied because current and developing trends in housing, landscaping, national plumbing fixture standards and demographic patterns all suggest that the simplistic water demand forecasts upon which the proposed transfers are based substantially overstate future water demand needs.

- 19. The subject application should be denied because the current per capita water consumption rate for the Las Vegas Valley Water District is double that of similarly situated southwestern municipalities. This suggests enormous potential for more cost-effective supply alternatives, including demand management and effluent re-use. These alternatives have not been seriously considered by the Las Vegas Valley Water District.
- 20. Inasmuch as a water extraction and transbasin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further information and study. Accordingly, the protestant reserves the right to amend the subject protest to include such issues as they may develop as a result of further information and study.
- 21. The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to the subject application filed pursuant to NRS 533.365.

		_						
	In the Matter of Application Number <u>54004</u> ,							
	FILED BY Las Vegas Valley Water District,	1	L	PROTEST				
	ON October 17, 1989, TO APPROPRIATE THE	\$, ·	IKOILSI				
	WATERS OF Underground Sources	_						
	Comes now Marcia Forman, agent for Ea	stern	U	nit, Nevada Ca	ttleme	n's Asso	ociation	
_	whose post office address is P. O. Box 1077, McGill Street							
	Street whose occupation is <u>Ranching, Private Land Owners</u>				,	and pro	tests the grant	ing
	of Application Number54004					_ •		Ĭ
	Printed or typed name of app							ше
	waters of <u>Underground Sources</u> Underground or name of stream, lake, spring or other source			situated in	L;	incoln		
	County, State of Nevada, for the following reasons and on th	e follov	win	g grounds, to wit:				
								_
	THEREFORE the protestant requests that the applic	ation be	e_	DENIED				
(Denied, issued subject to prior rights, etc., as the case and that an order be entered for such relief as the State Engineer deems just and proper.					case may be)			
	•			n ~	70			
	Sign	ned	//	Agent or pro	destont.	O.	mar	
	Nan	ne		Marcia Forman	. Age	nt		
	Add	lress		Printed or to P. O. Box 150	ped name,	if agent		
		lress_		Elv. Nevada 89		No.		
	Aud	iiess		City, State a		e No.	W	_
	^ ,,				Marin h			
	Subscribed and sworn to before me this day o	of	_	July	, 1	9 <u>90</u> .		
	RENEE E KNITSON	19	L	ence 5. 1	Spr	9 <u>90</u> .	n	

REASONS AND GROUNDS FOR PROTEST

- The granting of this application, in conjunction with any other applications filed by the Las Vegas Valley Water District in this basin, will impair, conflict and interfere with all existing water rights, sources and uses.
- 2. If granted, the allocation of ALL unappropriated waters in this ground water basin would adversely affect all agricultural operations, including but not limited to the following:
 - a. It will adversely affect the economic welfare of all farms and ranches.
 - b. It will destroy the environmental balance by eliminating the natural surface moistures and reducing the humidity levels which creates the natural growing environment of the surrounding areas, thereby destroying the grazing lands, wetlands and farm lands.
 - c. It will halt all potential agricultural growth.
 - d. It will destroy each agricultural operation because they will be unable to continue to operate or expand.
- 3. Eastern Nevada has had severe drought conditions for the past three (3) years which has created the following hardships on all cattlemen:
 - a. The grazing areas do not have sufficient feed to support the cattle.
 - b. The surface waters are insufficient for irrigation and stockwatering.
 - c. The water tables are lowering making it very difficult and expensive to pump any water.
 - d. The cattlemen will have to cut their herds, which affects the economic welfare of everyone within the State of Nevada, especially the surrounding communities.

If the drought creates this many hardships, the continual removal of the periennial yield by the Las Vegas Valley Water District WILL destroy all ranching operations as well as the whole environment of each basin.

- 4. There are different flow systems that underlie the State of Nevada. "These flow systems link the ground water beneath many of the hydrolgic basins over distances greater than 200 miles. The implications of this linkage are immense. While the water taken from a basin may be within the perennial yield of that basin, areas as far away as 200 miles may experience drawdown, and the negative impacts associated with this phenomenon (Intertech Consultants, Inc. 1990).
- Clark County must grow only within the limits of their natural resources or the environmental and socioeconomic balance of the State of Nevada will be destroyed.
- 6. The State Engineer must consider all of the future environ-

REASONS AND GROUNDS FOR PROTEST

- 1. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking to appropriate over 810,000 acre-feet of ground water for municipal use within the service area of the District in Clark County. Diversion and export of such a quantity of water will lower the static water level in this basin, will adversely affect the quality of remaining ground water and will further threaten springs, seeds and phreatophytes which provide water and habitat critical to the survival of wildlife, grazing livestock and other surface area existing uses.
- 2. The appropriation of this water when added to the already approved appropriations and dedicated users in this basin will exceed the safe yield of the basin. Appropriation and use of this magnitude will lower the water table and degrade the quality of water from existing wells, cause negative hydraulic gradient influences, further cause other negative impacts and will adversely affect existing rights adverse to the public interest.
- 3. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of over 860,000 acre-feet of ground and surface water for municipal use in the Las Vegas Valley Artesian Basin. Diversion and export of such a quantity of water will deprive the county and area of origin of the water needed for its environment and economic well being and will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.
- 4. The granting or approving of the subject Application in the absence of comprehensive planning, including but not limited to environmental impact considerations, socioeconomic impact considerations, and water resource plan consideration for the general Las Vegas Valley area such as has been required by the Public Service Commission of private purveyors of water, is detrimental to the public welfare and interest.
- 5. The granting or approving of the subject Application in the absence of comprehensive water resource development planning, including but not limited to, environmental impacts socioeconomic impacts, and long term impacts on the water resource, threatens to prove detrimental to the public interest.
- 6. The granting or approval of the above-referenced Application would be detrimental to the public interest in that it individually and cumulatively with other applications of the water exploration project would:
 - a. Likely jeopardize the continued existence of endangered and threatened species recognized under the Endangered Species Act and related state statutes;
 - b. Prevent or interfere with the conservation of those threatened or endangered species;
 - c. Take or harm those endangered species; and
 - d. Interfere with the purpose for which the Federal lands are managed under Federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
- 8. The approval of the subject Application will sanction and enhance the willful waste of water allowed, if not encouraged, by the Las Vegas Valley Water District.
- 9. The subject Application seeks to develop the water resources of, and transport water across, lands of the United States under the jurisdiction of the United States Department of Interior, Bureau of Land Management. This Application should be denied because the Las Vegas Valley Water District has not obtained right-or-way for water development on public lands and the transportation of water from the proposed point of diversion to the service area of the Las Vegas Valley Water District in Clark County.
- 10. This Application should be denied because it individually and cumulatively will increase the waste of water and lack of effective conservation efforts in the Las Vegas Valley Water District service area.

- 12. The above-referenced Application should be denied because the application fails to include the statutorily required:
 - Description of proposed works;
 - b. The estimated cost of such works;
 - c. The estimated time required to construct the works and the estimated time required to complete the application of water to beneficial use; and
 - The approximate number of persons to be served and the approximate future requirement.
- 13. The subject Application should be denied because it individually and cumulatively with other Applications will exceed the safe yield of this basin thereby adversely affecting phreatophytes and create air contamination and air pollution in violation of State and Federal Statutes, including but not limited to, the Clean Air Act and Chapter 445 of the Nevada Revised Statutes.
- 14. This Application cannot be granted because the applicant has failed to provide information to enable the State Engineer to grant the public interest properly. This Application and renot properly be determined without an independent, formal and publicly-reviewable assessment of:
 - a. cumulative impacts of the proposed extractions;
 - b. mitigation measures that will reduce the impacts of the proposed extractions;
 - c. alternatives to the proposed extractions, including but not limited to, the alternatives of no extraction and mandatory and effective water conservation in the LVVWD service area.
- The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to the aforementioned applications filed pursuant to NRS 533.365.
- 16. In as much as a water extraction and trans-basin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further study. Accordingly, the protestant reserves the ther study.

. .

STATE ENGINEERS OFF ILL

97: 7d 6- 77 06.

In the Matter of Application Number 54	1004
FILED BY Las Vegas Valley Water Distri	
on October 17, 1989, to Appropria	PROTEST THE
WATERS OF Underground Sources	
Comes now Marcia Forman	agent for Ridart Brothers
Comes now Marcia Forman, whose post office address is 34741 Seventh Str	Printed or typed name of protestant andard Road, Bakersfield, California 93308
	Street No. or P. O. Box, City, State and Zip Code
	and protests the granting
• • • • • • • • • • • • • • • • • • • •	to appropriate the
waters of Underground Sources Underground or name of stream, lake, spring or or	situated in Lincoln
County, State of Nevada, for the following reasons	and on the following grounds, to wit:
Please See Attachments.	
<u> </u>	
THEREFORE the protestant requests that t	the application be DENIED
and that an order be entered for such relief as the St	(Denied, issued subject to prior rights, etc., as the case may be)
and the order of othered for such refler as the St	are Engineer deems just and proper.
	Signed Marcus Tolman Agent or protestant
	Name Marcia Forman, Agent
	Printed or typed name, if agent AddressP. O. Box 150
	Street No. or P. O. Box No. Address Elv. Nevada 89301
	City, State and Zip Code No.
Son	
Subscribed and sworn to before me this	day of, 19_90
	Benee & Bruton

REASONS AND GROUNDS FOR PROTEST

- 1. The granting of this application, in conjunction with any other applications filed by the Las Vegas Valley Water District in this basin, will impair, conflict and interfere with all existing water rights, sources and uses.
- 2. If granted, the allocation of ALL unappropriated waters in this ground water basin would adversely affect all agricultural operations, including but not limited to the following:
 - a. It will adversely affect the economic welfare of all farms and ranches.
 - b. It will destroy the environmental balance by eliminating the natural surface moistures and reducing the humidity levels which creates the natural growing environment of the surrounding areas, thereby destroying the grazing lands, wetlands and farm lands.
 - c. It will halt all potential agricultural growth.
 - d. It will destroy each agricultural operation because they will be unable to continue to operate or expand.
- 3. Eastern Nevada has had severe drought conditions for the past three (3) years which has created the following hardships on all cattlemen:
 - a. The grazing areas do not have sufficient feed to support the cattle.
 - b. The surface waters are insufficient for irrigation and stockwatering.
 - The water tables are lowering making it very difficult and expensive to pump any water.
 - d. The cattlemen will have to cut their herds, which affects the economic welfare of everyone within the State of Nevada, especially the surrounding communities.

If the drought creates this many hardships, the continual removal of the periennial yield by the Las Vegas Valley Water District WILL destroy all ranching operations as well as the whole environment of each basin.

- 4. There are different flow systems that underlie the State of Nevada. "These flow systems link the ground water beneath many of the hydrolgic basins over distances greater than 200 miles. The implications of this linkage are immense. While the water taken from a basin may be within the perennial yield of that basin, areas as far away as 200 miles may experience drawdown, and the negative impacts associated with this phenomenon (Intertech Consultants, Inc. 1990).
- 5. Clark County must grow only within the limits of their natural resources or the environmental and socioeconomic balance of the State of Nevada will be destroyed.
- 6. The State Engineer must consider all of the future environ-

REASONS AND GROUNDS FOR PROTEST

- 1. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking to appropriate over 810,000 acre-feet of ground water for municipal use within the service area of the District in Clark County. Diversion and export of such a quantity of water will lower the static water level in this basin, will adversely affect the quality of remaining ground water and will further threaten springs, seeds and phreatophytes which provide water and habitat critical to the survival of wildlife, grazing livestock and other surface area existing uses.
- 2. The appropriation of this water when added to the already approved appropriations and dedicated users in this basin will exceed the safe yield of the basin. Appropriation and use of this magnitude will lower the water table and degrade the quality of water from existing wells, cause negative hydraulic gradient influences, further cause other negative impacts and will adversely affect existing rights adverse to the public interest.
- 3. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of over 860,000 acre-feet of ground and surface water for municipal use in the Las Vegas Valley Artesian Basin. Diversion and export of such a quantity of water will deprive the county and area of origin of the water needed for its environment and economic well being and will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.
- 4. The granting or approving of the subject Application in the absence of comprehensive planning, including but not limited to environmental impact considerations, socioeconomic impact considerations, and water resource plan consideration for the general Las Vegas Valley area such as has been required by the Public Service Commission of private purveyors of water, is detrimental to the public welfare and interest.
- 5. The granting or approving of the subject Application in the absence of comprehensive water resource development planning, including but not limited to, environmental impacts socioeconomic impacts, and long term impacts on the water resource, threatens to prove detrimental to the public interest.
- 6. The granting or approval of the above-referenced Application would be detrimental to the public interest in that it individually and cumulatively with other applications of the water exploration project would:
 - a. Likely jeopardize the continued existence of endangered and threatened species recognized under the Endangered Species Act and related state statutes;
 - b. Prevent or interfere with the conservation of those threatened or endangered species;
 - c. Take or harm those endangered species; and
 - d. Interfere with the purpose for which the Federal lands are managed under Federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
- 8. The approval of the subject Application will sanction and enhance the willful waste of water allowed, if not encouraged, by the Las Vegas Valley Water District.
- 9. The subject Application seeks to develop the water resources of, and transport water across, lands of the United States under the jurisdiction of the United States Department of Interior, Bureau of Land Management. This Application should be denied because the Las Vegas Valley Water District has not obtained right-or-way for water development on public lands and the transportation of water from the proposed point of diversion to the service area of the Las Vegas Valley Water District in Clark County.
- 10. This Application should be denied because it individually and cumulatively will increase the waste of water and lack of effective conservation efforts in the Las Vegas Valley Water District service area.

- 12. The above-referenced Application should be denied because the application fails to include the statutorily required:
 - a. Description of proposed works;
 - b. The estimated cost of such works;
 - The estimated time required to construct the works and the estimated time required to complete the application of water to beneficial use; and
 - The approximate number of persons to be served and the approximate future requirement.
- 13. The subject Application should be denied because it individually and cumulatively with other Applications will exceed the safe yield of this basin thereby adversely affecting phreatophytes and create air contamination and air pollution in violation of State and Federal Statutes, including but not limited to, the Clean Air Act and Chapter 445 of the Nevada Revised Statutes.
- 14. This Application cannot be granted because the applicant has failed to provide information to enable the State Engineer to grant the public interest properly. This Application and related applications associated with this major withdrawal out of the basin transfer project cannot properly be determined without an independent, formal and publicly-reviewable assessment of:
 - a. cumulative impacts of the proposed extractions;
 - b. mitigation measures that will reduce the impacts of the proposed extractions;
 - c. alternatives to the proposed extractions, including but not limited to, the alternatives of no extraction and mandatory and effective water conservation in the LVVWD service area.
- 15. The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to the aforementioned applications filed pursuant to NRS 533.365.
- 16. In as much as a water extraction and trans-basin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further study. Accordingly, the protestant reserves the right to amend the subject protest to include such issues as they develop as a result of further study.

STATE ENGINEERS OFF ILL

97:14 6- Mr 06.

IN THE MATTER	OF APPLICATION NUMBER	34004		•
FILED BY LAS	Vegas Valley Water D	istrict	i. **	
	17. 19.89, TO APP		PROTEST	
WATERS OF Un		NOPRIATE THE	· · · · · · · · · · · · · · · · · · ·	•

Comes nov	JUAN M.	ESCO	heda	•
whose post offic	e address is P.O.P	Printed	or typed name of protestant	**************************************
whose occurred	75.0	Street	No. or P.O. Box, City, State and Zip Code	NEV. 89042
Anose occupan	on is	CHEK		and protests the granting
Application I	Number 24 004	, filed on	Totalian 17	
by Las Ve	gas Valley Water Dis	trict	4	
waters of	Underground	d or typed name of appi		to appropriate the
	Underground or name of strea	m, lake, spring or other	situated in	Lincoln
County, State of			the following grounds, to w	
*******************	Inasmuch as a r	ater extra	ction and trans ba	sin
CO	nveyance project o	of this mag	nitude has never b	een considered by
			efore impossible t	
			out further study.	
			************************	***************************************
(i)	and and a second testives	the right	to amend the subj	ect protest to
		as they d	evelop as a result	of further
Sti	ıdy.	·	***************************************	

	RE the protestant requests th			
and that an ord	er be entered for such relief	as the State En	(Denied, issued subject to prior gineer deems just and proper	rights, etc., as the case may be)
		- the State Ell	gineer deems just and proper	•
		Signed	luan M En	0.6
		J.	Agent or protestant	
		***************************************	Printed or typed name, if	redo
	.	Address	O. BOX . 245	Agent.
		PAN	Street No. or P.O. Box I	ło,
	;	·	Chy, State and Zip Code	89042 No.
Subscribed and	sworn to before me this 5	774	711/	
	or to before me this	day of	19	
		M	1000	A.
NO.	OTARY PUBLIC ATE OF NEVADA	***************************************	Notes Dubits	72
Co	ounty of Lincoln	State of	Newson	e e e e e e e e e e e e e e e e e e e
G	ail D. Armstrong	County of	6221201	**************************************

In the Matter of Application Number 54004	
FILED BY LAS Vegas Valley Water District PROTEST	
ON October 17, 19.89, TO APPROPRIATE THE	
Waters of Underground	
Comes now Beverly R Gaffin Printed or typed name of protestant	
whose post office address is	
Street No. or P.O. Box, City, State and Zip Code Whose occupation is	
or application Number 54004 filed on October 17	
by Las Vegas Valley Water District	
Printed or typed name of applicant the	
waters of	
County. State of Nevada, for the following reasons and on the following grounds, to wit:	
Granting or approval of the above-referenced Application would	
be detrimental to the public to	
be detrimental to the public interest in that it would likely	
jeopardize the continued existence of endangered and threatened	
apecies, lower the static water level, will adversely affect the	•
quality of remaining ground water and will further threaten spring.	
seeds and phreatophytes which provide water and habitat critical to t	
survival of wildlife, grazing livester,	ıe
survival of wildlife, grazing livestock and other surface area existing use	s.
THEREFORE the protestant requests that the application be	
Prophet form and the second se	
and that an order be entered for such relief as the State Engineer deems just and proper.	
Signed Beauty R 4	
Agent or protestant	
Printed or typed name, if agent	
Address P.O. 13.0 V 3.3 4	
Street No. de F.O. Box No.	
Chy, State and Zip Code No.	
Subscribed and sworn to before me thisday of	
——————————————————————————————————————	
alie & Sinking	
Notary Public-State Of Nevada COUNTY OF LINCOLN ALICE C. SIMKINS State of Notary Public Notary Publi	
My Appointment Expires	

In the Matter of Application Number 54004	,
Filed By Las Vegas Valley Water District	PROTEST
ON October 17 1989, TO APPROPRIATE TH	1
WATERS OF Underground	
	<u> </u>
Comes now DANIEL WEAVER, AGENT FOR .	JESS HIATT Printed or typed name of protestant
whose post office address is BOX 554 EAST ELY.	, NEVADA 89315
hose occupation is UNEMPLOYED DRILLE	Street No. or P.O. Box, City, State and Zip Code R and protests the granting
of Application Number 54004, filed on	October 17 ,1989
	District to appropriate the
t thinks of types hand.	situated in White Pine County rother source
Underground or name of stream, lake, spring or County, State of Nevada, for the following reasons ar	
SEE ATTACHED	id on the following grounds, to wit:
ODD IVI MORED	
end.	
THEREFORE the protestant requests that the application	cation be Denied (Denied, issued subject to prior rights, etc., as the case may be)
and that an order be entered for such relief as the Sta	
Signed	Ageni or projectani
	DANIEL MEANING
	S.R. 1 BOX 5
	Street No. or P.O. Box No. ELY, NEVADA 89301
••••••••••••••••••••••••••••••••••••••	City, State and Zip Code No.
Subscribed and sworn to before me thisday	of July 1990
	11.5/1-

REASONS AND GROUNDS FOR PROTEST

- 1. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking to appropriate over 810,000 acre-feet of ground water for municipal use within the service area of the District in Clark County. Diversion and export of such a quantity of water will lower the static water level in this basin, will adversely affect the quality of remaining ground water and will further threaten springs, seeds and phreatophytes which provide water and habitat critical to the survival of wildlife, grazing livestock and other surface area existing uses.
- 2. The appropriation of this water when added to the already approved appropriations and dedicated users in this basin will exceed the safe yield of the basin. Appropriation and use of this magnitude will lower the water table and degrade the quality of water from existing wells, cause negative hydraulic gradient influences, further cause other negative impacts and will adversely affect existing rights adverse to the public interest.
- 3. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of over 860,000 acre-feet of ground and surface water for municipal use in the Las Vegas Valley Artesian Basin. Diversion and export of such a quantity of water will deprive the county and area of origin of the water needed for its environment and economic well being and will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.
- 4. The granting or approving of the subject Application in the absence of comprehensive planning, including but not limited to environmental impact considerations, socioeconomic impact considerations, and water resource plan consideration for the general Las Vegas Valley area such as has been required by the Public Service Commission of private purveyors of water, is detrimental to the public welfare and interest.
- 5. The granting or approving of the subject Application in the absence of comprehensive water resource development planning, including but not limited to, environmental impacts socioeconomic impacts, and long term impacts on the water resource, threatens to prove detrimental to the public interest.
- 6. The granting or approval of the above-referenced Application would be detrimental to the public interest in that it individually and cumulatively with other applications of the water exploration project would:
 - a. Likely jeopardize the continued existence of endangered and threatened species recognized under the Endangered Species Act and related state statutes;
 - b. Prevent or interfere with the conservation of those threatened or endangered species;
 - c. Take or harm those endangered species; and
 - d. Interfere with the purpose for which the Federal lands are managed under Federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
- 8. The approval of the subject Application will sanction and enhance the willful waste of water allowed, if not encouraged, by the Las Vegas Valley Water District.
- 9. The subject Application seeks to develop the water resources of, and transport water across, lands of the United States under the jurisdiction of the United States Department of Interior, Bureau of Land Management. This Application should be denied because the Las Vegas Valley Water District has not obtained right-or-way for water development on public lands and the transportation of water from the proposed point of diversion to the service area of the Las Vegas Valley Water District in Clark County.
- 10. This Application should be denied because it individually and cumulatively will increase the waste of water and lack of effective conservation efforts in the Las Vegas Valley Water District service area.
- 11 The Lac Vegas Vollar Water District 1 1 4 m

- 12. The above-referenced Application should be denied because the application fails to include the statutorily required:
 - a. Description of proposed works;
 - b. The estimated cost of such works;
 - c. The estimated time required to construct the works and the estimated time required to complete the application of water to beneficial use; and
 - The approximate number of persons to be served and the approximate future requirement.
- 13. The subject Application should be denied because it individually and cumulatively with other Applications will exceed the safe yield of this basin thereby adversely affecting phreatophytes and create air contamination and air pollution in violation of State and Federal Statutes, including but not limited to, the Clean Air Act and Chapter 445 of the Nevada Revised Statutes.
- 14. This Application cannot be granted because the applicant has failed to provide information to enable the State Engineer to grant the public interest properly. This Application and renot properly be determined without an independent, formal and publicly-reviewable assessment of:
 - a. cumulative impacts of the proposed extractions;
 - b. mitigation measures that will reduce the impacts of the proposed extractions;
 - c. alternatives to the proposed extractions, including but not limited to, the alternatives of no extraction and mandatory and effective water conservation in the LVVWD service area.
- 15. The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to the aforementioned applications filed pursuant to NRS 533.365.
- 16. In as much as a water extraction and trans-basin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further study. Accordingly, the protestant reserves the ther study.

STATE ENGINEERS OFF ILL

97:7d 6-70r 06.

IN THE MATTER O	F APPLICATION NUMBER 54004
	egas Valley Water District
	17, 1989, TO APPROPRIATE THE
Waters of Und	
	BARLAND IV. HOLLINGSHEAD
Comes now	BARLAND N. HOLLINGSHEAD Garland N. Hollingshead
whose post office	address is POBOL 238 PANACA NV. 89042 Street No. of P.O. Box, City, State and Zip Code
hose occupation	is Reliald Street No. or P.O. Box, City, State and Zip Code
Application Nu	imber 54004, filed on October 17
	as Valley Water District
aters of	Printed or typed name of applicant Underground
County, State of	Underground or name of stream, lake, spring or other source Neurodo for the fig. 1. Lincoln
Granti	Nevada, for the following reasons and on the following grounds, to wit:
h	ng or approval of the above-referenced Application would
	rimental to the public interest in that it would likely
	uize the continued existence of endangered and threatened
apecie	s. lower the static water level. will adversely affect the
Qualit	y of remaining ground water and will further threaten spring.
seeds	and phreatophytes which
surviv	and phreatophytes which provide water and habitat critical to the
	al of wildlife, grazing livestock and other surface area existing use
THEREFORE	the protestant requests that the application be Denied
d that an order	be entered for such relief as the State Engineer deems just and proper.
	Description decins just and proper.
	Signed Darland N. Hollingsh
	Agent or protestant
	Address Printed or typed game, if agent
	Danager No. or P.O. Box No.
	City, State and Zip Code No.
oscribed and swo	orn to before me this 7th day of July 1990
Mananananananananananananananananananan	Margart H. Jones
	MARGARET H. JONES State of Yeurs
A CRAP	pointment Recorded In Lincoln County of

		1
In the Matter of Application Number5400	04	
Filed by Las Vegas Valley Water Distr	ict PROTEST	
ON October 17, 1989, TO APPROPRIA	/	
Waters of Underground		
Comes now Wesley A. Holt		
hose post office address is P.O. Box 307.	Printed or typed name of protestant , Caliente, Nevada 89008	
whose occupation is Merchant	Street No. or P.O. Box, City, State and Zip Code	tests the granting
of Application Number54004 , file		
. Tag Voyag Valloy Water Dietwiet		•
	ed name of applicant Lincolr	
Underground or name of stream, lake,	spring or other source Situated in Lincoln	*************************
County, State of Nevada, for the following reason.	ons and on the following grounds, to wit: ications filed by the Las Vegas Valley	Water Dietrie

	feet of ground water for municipal use	
service area of the District in Cla	rk County. Diversion and export of suc	ch a quantity
of water will, lower the static water	er level in 184 Basin, will adversely a	iffect the .
quality of remaining ground water a	nd will further threaten springs, seeds	and
-phreatophytes which provide water a	nd habitat critical to the survival of	wildlife,
-grazing-livestock and other surface	area existing uses.	
TVID-0		
THEREFORE the protestant requests that the	(Denied, issued subject to prior rights, etc., as the	e case may be)
and that an order be entered for such relief as the	ne State Engineer deems just and proper.	
	11/10/10/10/10/10	
•	Agent or protestant	**********************
•	Wesley A. Holt Printed or typed name, if agent	*************
e de la companya de La companya de la co	Address P.O. Box 307 Street No. or P.O. Box No.	1992 - 1992 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997
	Caliente, Nevada 89008	
	City, State and Zip Code No.	
Subscribed and sworn to before me this 6		
and sworn to before me this	day of 1990	
	$\mathcal{A}(\mathcal{X})$	

In the Matter of Application Number 5 4 00 4
FILED BY Las Vegas Valley Water District
ON October 17, 1989, TO APPROPRIATE THE
WATERS OF Underground
Comes now ART Kinder
whose post office address is 130 × 31) Frinted or typed name of protestant PARCA NEW Street No. or P.O. Box. City. State and Zip Code
whose occupation is
Application Number 54054, filed on October 17, and protests the granting
by Las Vegas Valley Water District
Printed or typed name of applicant to appropriate the
Underground or name of stream, lake, profess of the state of the Lincoln
County, State of Nevada, for the following reasons and on the following grounds, to wit:
Granting or approval of the above-referenced Application would
be detrimental to the public interest in that it would likely
jeopardize the continued existence of endangered and threatened
apecies, lower the static water level, will adversely affect the
quality of remaining ground water and the
quality of remaining ground water and will further threaten spring.
seeds and phreatophytes which provide water and habitat critical to the
survival of wildlife, grazing livestock and other surface area existing uses
THEREFORE the protestant requests that the application be Denied
and that an order be entered for such relief so the Sant B
and that an order be entered for such relief as the State Engineer deems just and proper.
Signed Signed
Agent or protestant
Printed or typed name, if agent
Address Street No. or P.O. Box No.
Chy, State and Zip Code No.
subscribed and sworn to before me this. GTH
0
NOTARY PUBLIC Sail D. Constron
STATE OF NEVADA County of Lincoln State of New.
Gail D: Armstrong Wy Appointment Expires State: 23, 1989

In the Matter of Application Number 54054
FILED BY LAS Vegas Valley Water District PROTEST
ON October 17, 1989, TO APPROPRIATE THE
Waters of Underground
Comes now JAMES ! LEE
whose post office address is. P.O. Box 595 FANACA, NEVADO 89042
whose post office address is. Printed or typed name of protestant Whose post office address is. Printed or typed name of protestant FARMER Street No. or P.O. Box, City, State and Zip Code and protests the granting
of Application Number 54064, filed on October 17
by Las Vegas Valley Water District Printed or typed name of applicant to appropriate the
waters of
County, State of Nevada, for the following reasons and on the following grounds, to wit:
I believe that 864,000 zero feet as
I believe that 864,000 acre feet of water requested by the Las Vegas
Water District would make a Sahara Desert out of Nye, Lincoln, and White Pine
Counties. The water is now being used and further pumping in large amounts
Would deplete the underground
would deplete the under ground water, and dry up springs.
The pumping of water would adversely affect wildlife, livestock, game animals,
birds, fish, and Homo sapines for ever. It's about time for Clark County to solve
their problems there and not steal the good things Rural Nevada offers.
THEREFORE the protestant requests that the application beDenied
and that an order be entered for such relief as the State Engineer deems just and proper.
Signed January V.
Agent or protestant
Printed or typed name, if agent
Address Street No. or P.O. Box No/
PANACA, NEV 87042
City, State and Zip Code No.
wherethed a different section of the
ubscribed and sworn to before me this 67H day of July 1990
Moo
NOTARY PUBLIC Notary Public
STATE OF NEVADA State of Wew.

In the Matter of Application Number 54004
FILED BY Las Vegas Valley Water District
ON October 17, 1989, TO APPROPRIATE THE
Waters of Underground
Comes now Some Comes now
The state of the s
whose post office address is P.O. Box 615 Panaca NV 890 42 Whose occupation in the Contract of Street No. or P.O. Box, City, State and Zip Code
whose occupation is Selected Street No. or P.O. Box, City, State and Zip Code
filed on October 17
by Las Vegas Valley Water District
Printed as timed as many the second as the s
waters of Underground Underground or name of stream, lake, spring or other source Lincoln
County State of Name of Stream, lake, spring or other source
County, State of Nevada, for the following reasons and on the following grounds, to wit:
Granting or approval of the above-referenced Application would
above-referenced Application would
be detrimental to the public interest in that it would likely
jeopardiza +>
jeopardize the continued existence of endangered and threatened
apecies, lower the statio
apecies, lower the static water level, will adversely affect the
quality of remaining ground water and will further threaten spring.
seeds and nharman spring.
seeds and phreatophytes which provide water and habitat critical to the
survival of wildlife, grazing livestock
survival of wildlife, grazing livestock and other surface area existing uses.
THEREFORE the protestant requests that the application be Denied
and that an order be entered for such relief as the State Engineer deems just and proper.
Signed (d/Azz 1/2 V)
Agent or protestate
Printed or typed name, if agent
Address For Box 615
Street No. or P.O. Box No.
City, State and Zin Code No.
any, state and 5th Cods Mo.
Subscribed and sworn to before me this.
19
α
Julie C. Simpins
Notary Public-State Of Nevada Notary Public Notary Public
COUNTY OF LINCOLN ALICE C. SIMKINS State of
My Appointment Expires Country of The State Stat

IN THE MATTER OF APPLICATION NUMBER	4004
Filed by Las Vegas Valley Water Dis	trict
ON October 17, 1989, TO APPRO) PROTEST
WATERS OF Underground	PRIATE THE
· · · · · /	
Comes now HELE	4 O'CONNOR
whose post office address is. Bu	Princed or typed name of protestant 16 16 16 17 189 19 19 19 19 19 19 1
whose occupation is Julie es	Street No. or P.O. Boz, City, State and Zip Code
of Application Number 54004	, filed on October 17
by Las Vegas Valley Water Distr	19 89
Printed o	r typed name of applicant to appropriate the
waters of Underground Underground or name of stream,	late, using a cather and Lincoln
County, State of Nevada, for the following r	casons and on the following grounds as well
Granting or approval of	the above-referenced Application would
be detrimental to the	the above-referenced Application would
igoparding th	ublic interest in that it would likely
Jeoparuize the continue	d existence of endangered and threatened
apecies, lower the stat	ic water level, will adversely affect the
quality of remaining gr	ound water and will further threaten spring.
seeds and phreatophytes	which provide water and habitat critical to the
survival of wildlife, gr	cazing livestock and other surface area existing uses.
	surface area existing uses
THEREFORE the protestant requests that	the application be Denied
	400 - 2 A
and that an order be entered for such relief a	s the State Engineer deems just and proper.
	Signed Agent or protestant
	@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
•	Address Box 116
	Street No. or P.O. Box No.
	Janaca, Nevada 89042
	City, State and Zip Code No.
•	
Subscribed and sworn to before me this	TH day of TULY 10 911
	Tombus ?
	Sail D. ameter
NOTARY PUBLIC STATE OF NEVADA	State of New ARR
County of Lincoln	Countral LINCALLA

IN THE MATTER OF APPLICATION NUMBER 54004,	
FILED BY Las Vegas Valley Water District,	
ON October 17, 1989, TO APPROPRIATE THE	} PROTEST
WATERS OF Underground Sources	
Comes now the County of White Pine and the Ci	ty of Ely, State of Nevada
	ada 89301 . O. Box, City, State and Zip Code
whose occupation is Political Subdivision, State of Nevac	
of Application Number 54004 , filed	d on <u>October 17</u> , 19 <u>89</u>
by the Las Vegas Valley Water District Printed or typed name of applicant	to appropriate the
waters of Underground Sources Underground or name of stream, lake, spring or other source	situated inLincoln
County, State of Nevada, for the following reasons and on the following	
	3 3 3 3 3 3 3 3 3 3
See Attached	
THEREFORE the protestant requests that the application	DENIED (Denied, Issued subject to prior rights, etc., as the case may be)
and that an order be entered for such relief as the State Engineer de	eems just and proper.
as Siamed	Acres 1 Does
NSigned	Agent or protestant
Name	Dan L. Papez, Agent / Printed or typed name, if a fent
Address_	P. O. Box 240 Street No. or P. O. Hox No.
Address_	Ely, Nevada 89301 City, State and Zip Code No.
Subscribed and sworn to before me this 33d day of	
day of	<u>July</u> , 19 <u>90</u> .
ARREST MAN	Six (Six)

REASONS AND GROUNDS FOR PROTEST

The City of Ely and The Board of County Commissioners, White Pine County, State of Nevada, do hereby protest the above referenced application upon the following grounds:

- 1. Upon information and belief Protestant asserts that there is not sufficient unappropriated groundwater in Spring Valley to provide the water sought in Application Number 54004 and all other pending applications involving the utilization of surface and ground water from that Basin.
 - 2. Upon information and belief Protestant asserts that the appropriation of this water when added to the already approved appropriations to dedicated users in the Spring Valley Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will lower the water table and degrade the quality of water from existing wells, cause negative hydraulic gradient influences, further cause other negative impacts and will adversely affect existing rights adverse to the public interest.
- 3. That the groundwater sought in Application Number 54004 will conflict with and interfere with groundwater sought in previously filed Applications in the Spring Valley Basin as Set out a State Engineer's abstract which is hereto as Exhibit "A" fully incorporated herein, said Applications being prior in time to the instant Application and which have not been acted upon by the State Engineer.
 - 4. The granting or approval of the instant Application would conflict with or tend to impair existing water rights in the Spring Valley Basin in that it would exceed the safe yield of the subject basin and unreasonably lower the static water level and sanction water mining which is contrary to public policy in the State of Nevada.
 - 5. That the appropriation of the water sought in the instant Application, when added to the other pending Applications and to the already approved appropriations and dedicated uses in the Spring Valley Basin, will lower the static water level in Spring Valley Basin, will adversely affect the quality of the remaining ground water and will further threaten springs, seeps and phreatophytes which provide water and habitat critical to the use and survival of wildlife, grazing livestock and other surface existing uses.

- 6. This Application is one of approximately 147 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of approximately 860,000 acre feet of ground and surface water for municipal use in the Las Vegas Valley Artesian Basin. Diversion and export of such a quantity of water will deprive the county and area of origin of the water needed for its environment and economic well being and will unnecessarily destroy or damage environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.
- 7. The granting or approving of the subject Application in the absence of comprehensive planning, including but not limited to environmental impact considerations, socioeconomic impact considerations, and a water resource plan consideration for the general Las Vegas Valley area such as has been required by the Public Service Commission of private purveyors of water, is detrimental to the public welfare and interest.
- 8. The granting or approving of the subject Application in the absence of comprehensive water resource development planning, including but not limited to, environmental impacts, socioeconomic impact, and long term impacts on the water resource, threatens to prove detrimental to the public interest.
- 9. Granting or approval of the above-referenced Application would be detrimental to the public interest in that it individually and cumulatively with other applications of the water exploration project would:
 - (1) Likely jeopardize the continued existence of endangered and threatened species recognized under the Endangered Species Act and related state statues;
 - (2) Prevent or interfere with the conservation and management of those threatened or endangered species;
 - (3) Take or harm those endangered species; and
 - (4) Interfere with the purpose for which the Federal lands are managed under Federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
- 10. That the withdrawal of the ground water sought in this Application and/or in conjunction with withdrawal of groundwaters sought in other Applications in Spring Valley included in the water importation project will exceed the annual recharge and safe yield of the basin and will cause the loss of surface plant communities that provide forage and habitat for wildlife and forage for livestock, thus eliminating those uses of the basin.

- 11. That the granting of this Application together with the companion Applications filed as part of the water importation project will necessitate the Applicant to locate well sites, build road and power lines to each well site, causing surface disturbance and degradation of the environment, including loss of wildlife habitat, wildlife populations, and grazing lands for livestock.
- 12. The approval of the subject Application will sanction and enhance the willful waste of water allowed, if not encouraged, by the Las Vegas Valley Water District, and that such waste of water is contrary to public policy in the State of Nevada.
- 13. The subject Application seeks to develop the water resources of, and transport water across, lands of the United States under the jurisdiction of the United States Department of Interior, Bureau of Land Management. This application should be denied because the Las Vegas Valley Water District has not obtained or demonstrated that it can obtain right-of-way for water development on public lands and the transportation of water from the proposed point of diversion to the service area of the Las Vegas Valley Water District in Clark County, and therefore cannot show that the water will ever be placed in beneficial use.
- 14. The Application should be denied because it individually and cumulatively with other Applications of the water importation project will perpetuate and may increase the inefficient use of water and frustrate efforts of water demand management in the Las Vegas Valley Water District service area.
- 15. The Las Vegas Valley Water District lacks the financial capability of transporting water under the subject permit as a prerequisite to placing the water to beneficial use and accordingly, the subject Application should be denied.
- 16. The above-reference Application should be denied because the Application fails to adequately include the statutorily required information, to wit;
 - Description of proposed works;
 - (2) The estimated cost of such works;
 - (3) The estimated time required to construct the works and the estimated time required to complete the application of water to beneficial use; and
 - (4) The approximate number of persons to be served and the approximate future requirement.
- 17. The subject Application should be denied because it individually and cumulatively with other Applications will exceed the safe yield of the Spring Valley Basin thereby adversely affect phreatophytes and create air contamination and air pollution in

violation of State and Federal Statutes, including but not limited to, the Clean Air Act and Chapter 445 of the Nevada Revised Statutes.

- 18. The Application cannot be granted because the applicant has failed to provide information to enable the State Engineer to guard the public interest properly. This Application and related applications associated with this major withdrawal of groundwater out of the basin cannot properly be determined without an independent, formal and publicly-reviewable assessment of:
 - a. cumulative environmental and socioeconomic impacts of the proposed extractions;
 - b. mitigation measures that will reduce such impacts of the proposed extractions;
 - c. alternatives to the proposed extractions, including but not limited to, the alternatives of no extraction and mandatory and effective water conservation in the Las Vegas Valley Water District service area.
- 19. That this Application should be denied because the Applicant has failed to provide to Protestant relevant information regarding this Application and other Applications which comprise this project as required by N.R.S. 533.363. That the failure to provide such relevant information denies Protestant due process of law under Chapter 533, N.R.S., in that said relevant information may provide Protestant with further meaningful grounds of protest, and that Protestant may be forever barred from submitting such further grounds of protest because the protest period may run before Applicant provides such required information. That the failure of Applicant to provide such information denies Protestant with meaningful opportunity to submit protests to this Application and other Applications included in this project as allowed by Chapter 533, N.R.S.
- 20. The subject Application should be denied because the population projections upon which the water demand projections are based are unrealistic and ignore numerous constraints to growth, including traffic congestion, increase costs of infrastructure and services, degraded air quality, etc.
- 21. The subject Application should be denied because previous and current conservation programs instituted by the Las Vegas Water District are ineffective, public-relations oriented efforts that are unlikely to achieve substantial water savings. Public policy and public interest considerations should preclude the negative environmental and socioeconomic consequences of the proposed transfers on areas of origin when the potential water importer has failed to make a good-faith effort to efficiently use currently available supplies.
- 22. The subject Application should be denied because the enormous costs of the project likely will result in water rate increases of such a magnitude that demand will be substantially reduced, thereby rendering the water transfer unnecessary.

- 23. The granting or approval of the above-referenced Application would be detrimental to the public interest and is not made in good faith since it would allow the Las Vegas Valley Water District to lock up vital water resources for possible use sometime in the distant future beyond current planning horizons.
- 24. The subject Application should be denied because current and developing trends in housing, landscaping, national plumbing fixture stands, and demographic patterns all suggest that the simplistic water demand forecasts upon which the proposed transfers are based substantially overstate future water demand needs.
- 25. The subject Application should be denied because the current per capita water consumption rate for the Las Vegas Valley Water District is double that of similarly situated southwestern municipalities. This suggests enormous potential for more cost-effective supply alternatives, including demand management and effluent re-use. These alternatives have not been seriously considered by the Las Vegas Valley Water District.
- 26. The subject Application should be denied because the enormous costs of the project likely will result in water rate increases of such a magnitude that demand will be substantially reduced, thereby rendering the transfers unnecessary.
- 27. The subject Application should be denied because the current per capita water consumption rate for the the Las Vegas Valley Water District currently is double that of similarly situated southwestern municipalities. This suggests enormous potential for more cost-effective supply alternatives, including demand management and effluent re-use, which avoid the negative impacts on rural areas of origin and have not been considered.
- 28. That the State Engineer has previously denied other groundwater Applications submitted by other Applicants in the subject basin, said Applications having been prior in time to the instant Application and those associated with the water importation project. That the grounds of denial for prior Applications should apply equally to the instant Application and if appropriate, should provide grounds to deny the instant Application.
- 29. Inasmuch as water extraction and the trans-basin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further study. Accordingly, the Protestant reserves the right to amend the subject protest to include such issues as they develope as a result of further study.
- 30. The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to this Application and/or to any Application filed that is included in this project and filed pursuant to N.R.S. 533.365.

WATER RESOURCES

HYDROGRAPHIC BASIN ABSTRACT SROUND WATER

HYDROGRAPHIC AREA: 10-124 SPRING .

· · · · · · · · · · · · · · · · · · ·							•	
0.90	L×	1.007 IN3	66€	SE SE 35 164	KFA UG	00/15/32	43435	£5809
0.00	HK	1.000 IND '	66E	NE NE 35.16N	kFA UG	06/16/82	43435	45808
0.00	3/7	1.000 IND	67E	SW SE 14 15N	RFA UG	06/16/82	43435	45807
0.00	_	1.000 IND	67E	SW SE 11 154	RFA UG	06/16/32	43435	45806
0.00	1 A	1.000 IND	67E	VE SE 2 15N	RFA UG.	06/16/82	43435	45805
0.00	1)	1.007 IND	57E	SE SE 34 15 N	KFA_UG	C5/15/82	43435	45804
0.00		1.000 IND	67E	VW SW 23 16N	RFA UG	06/16/32	43434	45863
0.00		1.000 IND	67E	NE SW 14 16N	RFA UG	06/15/82	43434	45802
0.00		1.007 IND	67E	VE SE 11 16N	XTA CO	06/15/32	43434	45801
0.00	d to design the contract of th	1.000 IND	67E	SE SE 2 16N	KFA_UG	06/16/82	43434	45800
0.00	, P.	1.000 IND	67E	LT 03 1 16N	RFA UG	06/16/82	43434	45799
0.00		1.000 tho	67E	SW 4E 36 174	A FA US	06/16/32	43434	45798
1,080.00 /	270.00	4.500 IRR	67E	NW SE 16 13N	PER UG	05/10/82		45648
28.30 A		0.120 STK	63E	SE NW 23 5N	CER US	11265 94/32/84		45496
0.90	0.00	0.000 IRO	57E	SE 7 7 134	ж. Ж. С.	02/10/82	· · · · · · · · · · · · · · · · · · ·	45312
ANNUAL DL	IRRI GATED	PATE OF U	TWP RNG	POINT OF	STAT SRC	CERT# FILING	CHANGS OF APP#	A P P P

HYDROGRAPHIC AREA: 10-134 SPRING A

WATER RIGHTS SYSTEM...

HYDROGRAPHIC BASIN ABSTRACT GROUND WATER

	1.000 IND	06/16/32 RFA UG NW VW 11 13N 656	43438	45823
ט	1.000 IND	05/15/82 RFA UG SE SE 34 14N 66E	43438	25822
ی	1.000 IND	06/15/82 RFA JG NW SE 25 154 66E	43437	45821)
٥	1.000 IND	06/16/82 RFA UG VE SE 25 15N 66E	43437	45820
5	1.000 IND		43637	45819
ō:	1.000 IND	06/16/32 RFA UG YW SW 13 154 66E	43437	45818
IND	1.000 I	05/15/82 RFA UG SE SW 12 15N 65E	43457	45817
IND	1.000 I	.06/15/82 REA UG SE SW 1 154 66E	43437	45815
IND	1.000 1	C6/16/32 RFA UG SW SW 26 14N 66E	43436	45815
IND	1.000	06/15/82 RFA UG SE SW 23 144 65E	43436	45814
GNI	1.000 I	06/16/82 RFA UG SE SE 14 144 65E	43436	45813
NO	1.000 1	06/16/82 RFA UG SE SE 11 14N 66E	43436	45812
IND	1.000.1	06/15/32 REA UG SE SE 2 141 65E	43430	45811
ם או	1.000 I	06/16/91 RFA UG SE SE 35 15N 65E	43436	4581)
OF S	AATE O	CERT# FI_ING STAT SRC Q Q SEC TWP RNG	CHANGE OF APP#	A P P #

WATER RESOURCES

HYDROGRAPHIC BASIN ABSTRACT SROUND WATER

HYDROGRAPHIC APEN:	
10-134	
SPRING	
€.	

				(
00.00	0.00	I R D	5.402 I	67E	5 11 V	¥5 23	: - 2 - m		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	08/27/32	6	4225	40102
0.00	0.00	IRD	5.400 I	67E	511.N	SW 23	S E.	A UG	RFA	08/27/82	ÿ	42249	45101
0.00	0.00	IRO	5.400 I	67E	3 114	S = 23	SE	A 116	REA	08/27/82	1	4225	45100
0.00	0.00	IPO	5.400 1	67£	3 11 2	(2)	Æ.	A UG	X Fi	08/27/82	Ċu	7227	46099
640.00 A	160.00	IRD	2.700 1	67E	7 14N	02	- [7	A UG	20 Th	08/27/82			46098
540+00-A	1.60.00	IRD	2.703 1	675	7 14%	33	141	'A.∷UG	R.F.A.	08/27/8:	•		46097
0.00		IND	1.000	67E	9 13N	Ω S	S.n	A U.S	X F A	06/15/82	6	43439	45833
0.00		IND	1.000	67E	9 13N	m	z m	A UG	RFA	06/16/82	39	43439	45832
7.00	manada de la casa de c	IND	1.007	67E -	1 134	4 8	Z	A 116	7. 'TI	06/16/82	\$ 9	4345	45851
0.00		IND	1.000	66 E	4. 12N	VE. 2	Z	A UG	RFA	£6/16/82	63	43439	45830
0.00		IND	1.000	66E	3 12N	NE J	S	A U6	30 711	06/16/82	39	43439	45829
0.00		CHI	1.000	ዓ ና ዓ	2 12N	Sw 12	er E	∀ ∩e	Д) Ті Б	06/15/32	4 0 -	62727	45823
0.00		IND	1.000	66E	5 13N	SW 2	SE	-A UG	R F A	06/16/82	or,	43438	45827
0.00		I ND	1.000	55E	4 13N	2 × 2	S	ัA _UG	REA	05/16/82	34	4343	45825
0.00		IND	1.000	, 65 M	4 13v	55 m →	S	Fa UG	<u>.</u>	06/15/82	œ	6365	45825
ANNUAL DU	IRR I GATED	USE P	RATE (CFS)	LVERSION.		POINT OF	i	AT SRC	STAT	FITNS	NGS CERTE	CHANGE OF APP	APP#

_	1 2
-	!
	1 4
΄.	: _
΄.	> '
ς.	5 (11
,	_
	m a
3	:0
	:
4	æ
•	حد بـــا
	Ġ,
j	72 m.
•	7
•	S
}	l
	NO
	10.00
,	<u> </u>
`	m 30
;	-
	A TER RIGHTS SYSTEM ES
)	rn
•	i
	ica

HYDROGRAPHIC BASIN ABSTRACT GROUND WATER

APPR		estate	endermelejanski opiski og septe de sammen september stagen i stagen i stagen i stagen en ender	<u> </u>		The company was the control of the c			
CHANGE CERTY FILLIG STAT SEC BOLHT OF DIVESSION AARE OF USE P IRRIGATED CHANGE CERTY FILLIG STAT SEC BOLHT OF DIVESSION AARE OF USE P IRRIGATED CHANGE CERTY FILLIG STAT SEC BOLHT OF USE P IRRIGATED CHANGE CERTY FILLIG STAT SEC BOLHT OF USE P IRRIGATED CATE OF APPRICATION USE P IRRIGATED CATE OF USE P IRRIGATED CAT								יט אבו בי יט איניטיעי	,
CHANGE TOTAL SPAINS ACRES CHANGE CERTY FILLS STAT SPC 0 Q SEC TWP RNG (CFS) USE P IRRIGATED CHANGE CERTY FILLS STAT SPC 0 Q SEC TWP RNG (CFS) USE P IRRIGATED CONTROL OF USE P IRRIGATED CONTROL O	0			66	NE 2 14	A UG	03/30/81	2000 2000 2000	3435 CH6 B
CHANGE CERT# FILIS STAT SPC A Q SEC TWP RNG (CFS) USE P IRRIGATED CHANGE CERT# FAILS STAT SPC A Q SEC TWP RNG (CFS) USE P IRRIGATED CATES OF U ACRES CATES OF U ACRES CATES OF U ACRES CHANGE CERT# FILIS CATE OF U ACRES CATE OF U ACRES CATE OF U ACRES CATE OF U ACRES CATES CATE OF U ACRES CATES CAT								და	
CHANGE FILLS STAT SPC Q RESTON BATE OF U TYPE S ACRES OF APPR CERT# FILLS STAT SPC Q REST TWP RNG (CFS) USE P IRRIGATED [3/28/5] RFA UG SW SE 5 12W 67E 0.000 IRR 0.00 [3/28/8] RFA UG SW SE 5 12W 67E 0.000 IRR 0.00 [08/28/8] RFA UG SW NE 30 12W 67E 0.000 IRR 0.00 [08/28/8] RFA UG SW NE 30 12W 67E 0.000 IRR 0.00 [08/28/8] RFA UG SW NE 30 12W 67E 0.000 IRR 0.00 [08/28/8] RFA UG SW SE 30 12W 67E 0.000 IRR 0.00 [08/28/8] RFA UG SW SW 30 12W 67E 0.000 IRR 0.00 [08/28/8] RFA UG SW SW 30 12W 67E 0.000 IRR 0.00 [08/28/8] RFA UG SW SW 30 12W 67E 0.000 IRR 0.00	0		5.000 IND	6.5	NE 1 14	FA U3	p3/30/31	80055	3434 CHG B
CHANGE CERTH FILITS STAT SPC QUINT OF DIVERSION BATE OF U ACRES OF APPRICATED OF U ACRES	0	0.00	0.000 IRR	67	W NW 30 12	FA UG	S/ 8	•	236
CHANGE CERT# FILING STAT SPC 0 Q SEC TWP RNG (CFS) USE P IRRIGATED CHANGE CERT# FILING STAT SPC 0 Q SEC TWP RNG (CFS) USE P IRRIGATED C3/28/83 RFA UG SW SE 5 12 W 67E 0.000 IRR 0.00 08/28/83 RFA UG SW WE 5 12 11 W 67E 0.000 IRR 0.00 08/28/83 RFA UG SE WE 12 11 W 67E 0.000 IRR 0.00 08/28/83 RFA UG SE WE 12 11 W 67E 0.000 IRR 0.00 08/28/93 RFA UG SW WE 30 12 W 67E 0.000 IRR 0.00 08/28/93 RFA UG SW WE 30 12 W 67E 0.000 IRR 0.00 08/28/93 RFA UG SW WE 30 12 W 67E 0.000 IRR 0.00	0	. 0.00	0.000 IRR	67	W SW 30 12	FA UG	8/28/8	1	42300
CHANGE CERT# FILI.G STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED CHANGE CERT# FILI.G STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED C3/28/83 RFA UG SW SE 5 12W 67E 0.000 IRR 0.00 08/28/83 RFA UG SW SE 5 12W 67E 0.000 IRR 0.00 08/28/83 RFA UG SW NE 12 11W 67E 0.000 IRR 0.00 08/28/83 RFA UG SE NE 12 11W 67E 0.000 IRR 0.00 08/28/83 RFA UG SE NE 12 11W 67E 0.000 IRR 0.00	0	0.00	1	67	W SE 30 12	FA U	/23/9		229
CHANGE FILIS STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED CHANGE FILIS STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED CATER: 10-134 SPRING Q SEC TWP RNG (CFS) USE P IRRIGATED CATER: 10-134 SPRING Q A SEC TWP RNG (CFS) USE P IRRIGATED CATER:	0	0.00	0.000 IRR	67	W NE 30 12	j			229
CHANGE FILIS STAT SPC QUINT OF DIVERSION BATE OF U ACRES OF APPR CERT# FILIS STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED 53/28/30 RF3 US NE NE 5 12N 67E 0.000 IRR 0.00 55/28/85 RF4 UG SW NE 5 12N 67E 0.000 IRR 0.00 08/28/85 RF4 UG SW NE 5 12N 67E 0.000 IRR 0.00 08/28/85 RF4 UG SW NE 5 12N 67E 0.000 IRR 0.00	0	0.00	- 1	66	F SE 12 11	.>>	UO		72297
CHANGE FILI,G STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED CHANGE CERT# FILI,G STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED C3/28/30 RF4 US NE NE 5 12N 67E 0.000 IRR 0.00 C3/28/8J RF4 UG SW SE 5 12N 67E 0.000 IRR 0.00 O8/23/8J RF4 UG SW NE 5 12N 67E 0.000 IRR 0.00		0.00		٥ ٥	E NE 12 11	.u .u	8/28/8	×	229
CHANGE FILIS STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED OF APPR CERT# DATE STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED C3/28/85 RFA UG SW SE 5 12V 675 0.000 IRR 0.00		0.00	0.900 IRR	N 67	W NE 6 12	FAU	8/28/8		•
CHANGE FILI,G STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED CHANGE CERT# DATE STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED CHANGE OF APPRICATE STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED		0. 00	0.007 IR	67	W SE 5 1	F	5/28/8		42294
CHANGE CERT# FILIG STAT SPC Q Q SEC TWP RNG (CFS) USE P IRRIGATED		0.00	0.000 IRR	•	E VE 5 1	ت دع	3/28/3		229
C AAMA**	NN	A CRES IRRIGATED	ļ.	VERSIO PRNG	CINI OF D	TAT SPC	FILI	HANG P	P
							104 UTX120	ک ۱۱ ۱۱	HYDROGRAPHI

12/31/81 RFA UG SE SW 15 14N 67E · 5.560 IR	C3/30/3) RFA UG NE NE 14 14N 65E 5.000 IN	03/30/31 RFA UG NE WE 13 14% 66E 6.000 IN	00	CERT# FI-ING STAT SRC Q Q SEC TWP RNG (CFS) US 03/30/91) RFA UG NE NE 11 14% 668 6.000 IS	HYDROGRAPHIC BASIN ABSTRACT GROUND WATER
560 IRR 320.00 350 IRR 78.20	IND	IND	INO		TRACT

IN THE MATTER OF APPLICATION	NUMBER 54004			
FILED BY Las Vegas Valley	Water District,			
on October 17, 1989,	TO APPROPRIATE THE	}	PROTEST	
WATERS OF Underground	d Sources			
· .				
Comes now the County	of White Pine and	the City of steed or typed name of	Ely, State of Ne	evada
whose post office address is P. O	. Box 1002, Ely	Nevada (89301 City, State and Zip Code	
whose occupation is Political Su				
of Application Number 540				
by the Las Vegas Valley Wa	Ater District Printed or typed name of ap	pilcant	· · · · · · · · · · · · · · · · · · ·	to appropriate
waters of <u>Underground</u>	Sources		situated in _	Lincoln
County, State of Nevada, for the foll	owing reasons and on t	he following	grounds, to wit:	
,				
Con A44a-l- 1				
See Attached				
See Attached THEREFORE the protestant	requests that the applic	cation be	DENIED (Denied, issued subject to p	
See Attached	requests that the applic	cation be	DENIED (Denied, issued subject to p	
See Attached THEREFORE the protestant	requests that the applicate relief as the State Engil	cation be	DENIED (Denied, issued subject to p	
See Attached THEREFORE the protestant	requests that the applicate relief as the State Engile	neer deems ju	DENIED (Denled, Issued subject to p Ist and proper. Agent or protes	orior rights, etc., as the case may be)
See Attached THEREFORE the protestant	requests that the applicate relief as the State Engile Sig	neer deems ju	DENIED (Denied, issued subject to p ist and proper. Agent or protes Dan L. Papez, A Printed or types	prior rights, etc., as the case may be)
See Attached THEREFORE the protestant	requests that the applicate relief as the State Engineral Signal Nation Add.	neer deems ju	DENIED (Denied, Issued subject to post and proper.) Agent or protest Dan L. Papez, Printed or types P. O. Box 240 Street No. or P.	stant Agent d name, if agen
See Attached THEREFORE the protestant	requests that the applicate relief as the State Engineral Signal Nation Add.	neer deems ju	DENIED (Denled, Issued subject to post and proper. Agent or protest Dan L. Papez, April Printed or types P. O. Box 240	orior rights, etc., as the case may be) Fig. 1 Agent of name, if agen O. Box No.
See Attached THEREFORE the protestant	requests that the applicate relief as the State Engineral Signal Nation Add.	neer deems ju	DENIED (Denled, Issued subject to post and proper.) Agent or protes Printed or type P. O. Box 240 Street No. or P. Ely, Nevada 8930	orior rights, etc., as the case may be) Fig. 1 Agent of name, if agen O. Box No.

REASONS AND GROUNDS FOR PROTEST

The City of Ely and The Board of County Commissioners, White Pine County, State of Nevada, do hereby protest the above referenced application upon the following grounds:

- 1. Upon information and belief Protestant asserts that there is not sufficient unappropriated groundwater in the subject Basin to provide the water sought in the Instant Application and all other pending applications involving the utilization of surface and ground water from that Basin.
 - 2. Upon information and belief Protestant asserts that the appropriation of this water when added to the already approved appropriations to dedicated users in the subject Basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will lower the water table and degrade the quality of water from existing wells, cause negative hydraulic gradient influences, further cause other negative impacts and will adversely affect existing rights adverse to the public interest.
 - 3. That the groundwater sought in the instant Application interfers with existing water rights in the subject basin.
- 4. The granting or approval of the instant Application would conflict with or tend to impair existing water rights in the subject Basin in that it would exceed the safe yield of the subject Basin and unreasonably lower the static water level and sanction water mining which is contrary to public policy in the State of Nevada.
- 5. That the appropriation of the water sought in the instant Application, when added to the other pending Applications and to the already approved appropriations and dedicated uses in the subject Basin, will lower the static water level in subject Basin, will adversely affect the quality of the remaining ground water and will further threaten springs, seeps and phreatophytes which provide water and habitat critical to the use and survival of wildlife, grazing livestock and other surface existing uses.

- 6. This Application is one of approximately 147 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of approximately 860,000 acre feet of ground and surface water for municipal use in the Las Vegas Valley Artesian Basin. Diversion and export of such a quantity of water will deprive the county and area of origin of the water needed for its environment and economic well being and will unnecessarily destroy or damage environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.
- 7. The granting or approving of the subject Application in the absence of comprehensive planning, including but not limited to environmental impact considerations, socioeconomic impact considerations, and a water resource plan consideration for the general Las Vegas Valley area such as has been required by the Public Service Commission of private purveyors of water, is detrimental to the public welfare and interest.
- 8. The granting or approving of the subject Application in the absence of comprehensive water resource development planning, including but not limited to, environmental impacts, socioeconomic impact, and long term impacts on the water resource, threatens to prove detrimental to the public interest.
- 9. Granting or approval of the above-referenced Application would be detrimental to the public interest in that it individually and cumulatively with other applications of the water exploration project would:
 - Likely jeopardize the continued existence of endangered and threatened species recognized under the Endangered Species Act and related state statues;
 - (2) Prevent or interfere with the conservation and management of those threatened or endangered species;
 - (3) Take or harm those endangered species; and
 - (4) Interfere with the purpose for which the Federal lands are managed under Federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
- 10. That the withdrawal of the ground water sought in this Application and/or in conjunction with withdrawal of groundwaters sought in other Applications in the subject Basin included in the water importation project will exceed the annual recharge and safe yield of the basin and will cause the loss of surface plant communities that provide forage and habitat for wildlife and forage for livestock, thus eliminating those uses of the basin.

- 11. That the granting of this Application together with the companion Applications filed as part of the water importation project will necessitate the Applicant to locate well sites, build road and power lines to each well site, causing surface disturbance and degradation of the environment, including loss of wildlife habitat, wildlife populations, and grazing lands for livestock.
- 12. The approval of the subject Application will sanction and enhance the willful waste of water allowed, if not encouraged, by the Las Vegas Valley Water District, and that such waste of water is contrary to public policy in the State of Nevada.
- 13. The subject Application seeks to develop the water resources of, and transport water across, lands of the United States under the jurisdiction of the United States Department of Interior, Bureau of Land Management. This application should be denied because the Las Vegas Valley Water District has not obtained or demonstrated that it can obtain right-of-way for water development on public lands and the transportation of water from the proposed point of diversion to the service area of the Las Vegas Valley Water District in Clark County, and therefore cannot show that the water will ever be placed in beneficial use.
- 14. The Application should be denied because it individually and cumulatively with other Applications of the water importation project will perpetuate and may increase the inefficient use of water and frustrate efforts of water demand management in the Las Vegas Valley Water District service area.
- 15. The Las Vegas Valley Water District lacks the financial capability of transporting water under the subject permit as a prerequisite to placing the water to beneficial use and accordingly, the subject Application should be denied.
- 16. The above-reference Application should be denied because the Application fails to adequately include the statutorily required information, to wit;
 - Description of proposed works;
 - (2) The estimated cost of such works;
 - (3) The estimated time required to construct the works and the estimated time required to complete the application of water to beneficial use; and
 - (4) The approximate number of persons to be served and the approximate future requirement.
- 17. The subject Application should be denied because it individually and cumulatively with other Applications will exceed the safe yield of the subject Basin thereby adversely affect phreatophytes and create air contamination and air pollution in

violation of State and Federal Statutes, including but not limited to, the Clean Air Act and Chapter 445 of the Nevada Revised Statutes.

- 18. The Application cannot be granted because the applicant has failed to provide information to enable the State Engineer to guard the public interest properly. This Application and related applications associated with this major withdrawal of groundwater out of the basin cannot properly be determined without an independent, formal and publicly-reviewable assessment of:
 - a. cumulative environmental and socioeconomic impacts of the proposed extractions;
 - mitigation measures that will reduce such impacts of the proposed extractions;
 - c. alternatives to the proposed extractions, including but not limited to, the alternatives of no extraction and mandatory and effective water conservation in the Las Vegas Valley Water District service area.
- 19. That this Application should be denied because the Applicant has failed to provide to Protestant relevant information regarding this Application and other Applications which comprise this project as required by N.R.S. 533.363. That the failure to provide such relevant information denies Protestant due process of law under Chapter 533, N.R.S., in that said relevant information may provide Protestant with further meaningful grounds of protest, and that Protestant may be forever barred from submitting such further grounds of protest because the protest period may run before Applicant provides such required information. That the failure of Applicant to provide such information denies Protestant with meaningful opportunity to submit protests to this Application and other Applications included in this project as allowed by Chapter 533, N.R.S.
- 20. The subject Application should be denied because the population projections upon which the water demand projections are based are unrealistic and ignore numerous constraints to growth, including traffic congestion, increase costs of infrastructure and services, degraded air quality, etc.
- 21. The subject Application should be denied because previous and current conservation programs instituted by the Las Vegas Water District are ineffective, public-relations oriented efforts that are unlikely to achieve substantial water savings. Public policy and public interest considerations should preclude the negative environmental and socioeconomic consequences of the proposed transfers on areas of origin when the potential water importer has failed to make a good-faith effort to efficiently use currently available supplies.
- 22. The subject Application should be denied because the enormous costs of the project likely will result in water rate increases of such a magnitude that demand will be substantially reduced, thereby rendering the water transfer unnecessary.

- 23. The granting or approval of the above-referenced Application would be detrimental to the public interest and is not made in good faith since it would allow the Las Vegas Valley Water District to lock up vital water resources for possible use sometime in the distant future beyond current planning horizons.
- 24. The subject Application should be denied because current and developing trends in housing, landscaping, national plumbing fixture stands, and demographic patterns all suggest that the simplistic water demand forecasts upon which the proposed transfers are based substantially overstate future water demand needs.
- 25. The subject Application should be denied because the enormous costs of the project likely will result in water rate increases of such a magnitude that demand will be substantially reduced, thereby rendering the transfers unnecessary.
- 26. The subject Application should be denied because the current per capita water consumption rate for the the Las Vegas Valley Water District currently is double that of similarly situated southwestern municipalities. This suggests enormous potential for more cost-effective supply alternatives, including demand management and effluent re-use, which avoid the negative impacts on rural areas of origin and have not been considered.
- 27. That the State Engineer has previously denied other groundwater Applications submitted by other Applicants in the subject basin, said Applications having been prior in time to the instant Application and those associated with the water importation project. That the grounds of denial for prior Applications should apply equally to the instant Application and if appropriate, should provide grounds to deny the instant Application.
- 28. Inasmuch as water extraction and the trans-basin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further study. Accordingly, the Protestant reserves the right to amend the subject protest to include such issues as they develope as a result of further study.
- 29. The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to this Application and/or to any Application filed that is included in this project and filed pursuant to N.R.S. 533.365.

IN THE MATTER OF APPLICATION NUMBER 54004
Filed by Las Vegas Valley Water District
ON October 17, 1989, TO APPROPRIATE THE
WATERS OF Underground
WATERS OF Unique of Outling
Comes now Tonya K. Tom/1050h Printed or typed name of protestant
whose post office address is DOX 430 Panaca, NV 89047
Street No. or P.O. Box, City, State and Zip Code Street No. or P.O. Box, City, State and Zip Code
of Application Number 54004, filed on October 17
of Application Number 54004 , filed on October 17 by Las Vegas Valley Water District , 19.89
Printed or typed name of applicant
waters of Underground Underground or name of stream, lake, spring or other source Underground or name of stream, lake, spring or other source
County, State of Nevada, for the following reasons and on the following grounds, to wit:
Inasmuch as a water extraction and trans basin
conveyance project of this magnitude has never been considered by
the state Engineer, it is therefore impossible to anticipate all
potential adverse affects without further study. Accordingly,
the protestant reserves the right to amend the subject protest to
include such issues as they develop as a result of further.
study.
THEREFORE the protestant requests that the application beDenied
and that an order be entered for such relief as the State Engineer deems just and proper.
si Joseph K Formlingen
Signed (Mark) - Johnson
D Printed or typed name, if agent
Address DOX 430
Street No. or P.O. Box No.
City, State and Zip Code No.
Subscribed and sworn to before me this day of July 19 90
alice & Simbin
Notary Public-State Of Nevada COUNTY OF LINCOLN State of Nevada

In the Matter of Applicat	rion Numi	BER 54004	
Filed By Las Vegas V	alley W	Mater District	PROTEST
on October 17	.19 <u>89</u> , 1	TO Appropriate th	IE (
WATERS OF Undergrou	nd		
· · · · · · · · · · · · · · · · · · ·	-		<i>'</i>
u c r		4 U414146. C.	
Comes now U.S. F			Printed or typed name of protestant
_			treet, Portland, OR 97232-4181 Street No. or P.O. Box, City, State and Zip Code
			, and enhancement of fish, wildlife and their habital
of Application Number	54004	, filed on	0ctober 17, 19.89
by Las Vegas Valley	<u> Water</u>	District Printed or typed name	to appropriate the
waters of Undergro	und		situated inLincolnor other source
			and on the following grounds, to wit:
See Attached.		-	
***************************************	*****************	***************************************	

	***************************************	***************************************	
<u> </u>		***************************************	
***************************************	***************************************	***************************************	

***************************************	8	**************************************	
THEREFORE the pro-	testant rec	qu es ts that the appl	lication be
			ate Engineer deems just and proper.
	<u>:</u>	**************************************	Man Idl
		Signe	Agent or protestant Marvin L. Plenert, Regional Director
	,	***************************************	
		Addr	U.S. Fighted ที่สาชาห์สาชาห์สาชาห์ ress
		. *********	Portland, OR 97232-4181
			City, State and Zip Code No.
		26	A
Subscribed and sworn to b	efore me	this da	Marilya a. Halway
			Marilya a. Halwan
			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,

The U.S. Fish and Wildlife Service (Service) protests water right applications 53947 through 54036, 54038 through 54066, 54068 through 54092, 54105, and 54106, of which this protest is a part, which were filed by the Las Vegas Valley Water District (LVVWD). Granting the above applications would not be in the public interest and, in addition, would injure the Service's senior water rights.

The currently available information indicates that the impacts, both short and long term, which would result from withdrawal (extraction) of underground water as proposed by LVVWD, would adversely affect the water rights held by the Service and the water available to wildlife and plants in general.

The "underground source" of the water proposed to be appropriated by LVVWD will intercept the source of the water that now maintains the numerous springs, seeps, marshes, streams, and riparian and mesquite habitats that support the wildlife and plant resources including endangered and threatened species in the state of Nevada. These water resources are dependent on the ground water systems from which applicant proposes to tap.

The Service's mission is to conserve, protect, and enhance fish, wildlife, and their habitats for the continuing benefit of the American people. In southern Nevada, the Service manages four National Wildlife Refuges (NWR):

- Ash Meadows NWR. This refuge was established in June 1984 and comprises approximately 23,500 acres of spring-fed wetlands and alkaline desert uplands that provide habitat for numerous plants and animals found nowhere else in the world. Five species at the refuge are listed under the Endangered Species Act, and seven species are threatened. Twenty other species are candidates for listing.
- Desert National Wildlife Range. This refuge was established in 1936 and encompasses over 2,200 square miles. The most important objective is perpetuating the desert bighorn sheep and its habitat. Dependable, year-round water sources located throughout bighorn habitat enable the sheep to use all available habitat which reduces competition for food, cover, water, and space. The Corn Creek Spring ponds on the refuge are the home of the endangered Pahrump poolfish.
- Moapa NWR. This refuge was established in 1979 to secure habitat for the Moapa dace, an endangered minnow endemic to the headwaters of the Muddy River. Historically, the dace was common throughout the headwaters of the Muddy River but in the last decade populations have declined sharply due to habitat destruction and alterations and competition with introduced non-native species.

 Pahranagat NWR. This refuge was established in 1964 to provide a stopping point for waterfowl and other migratory birds as they migrate south in the fall and back north in the early spring. These waterfowl are attracted by the refuge's 5,380 acres of marshes, open water, native grass meadows, and cultivated croplands. The refuge is the home of the endangered bald eagle and five candidate species.

These four southern Nevada refuges support migratory birds, endangered and threatened species, and other plant and wildlife species. Loss of sufficient water supply to the refuges would eliminate or degrade critical wildlife habitat and could eliminate some or all of the migratory birds, endangered and threatened species, and other wildlife the refuges have been established to protect. This would defeat the very purposes of the refuges and interfere with the Service's mandated responsibilities under the Migratory Bird Treaty Act, 16 U.S.C § 703 et seq., (MBTA) and the Endangered Species Act (ESA) of 1973, 16 U.S.C. 1531 et seq., among other federal laws. Reducing the refuges' water supply through approval of the applications could also constitute violations of the ESA and MBTA.

In addition to the endangered and threatened species found on the refuges, endangered and threatened species are found at numerous other sites in southern Nevada. Significantly reducing water supplies at these locations would also adversely affect these species. The preamble to the Endangered Species Act states that endangered and threatened species of fish, wildlife and plants . . . "are of aesthetic, ecological, educational, historical, recreational and scientific value to the Nation and its people." Congress, through enactment of the Endangered Species Act, has clearly expressed a national public interest in preserving endangered and threatened plant and animal species.

The Service also has water rights for surface and ground water at each of the four southern Nevada National Wildlife Refuges. Approval of the applications would significantly reduce the water available at the refuges and injure the Service's water rights.

The Fish and Wildlife Service strongly urges the State Engineer to undertake a comprehensive study of the environmental impacts to southern Nevada that the withdrawing of approximately 860,000 acre-feet of water, the amount applied for by the Las Vegas Valley Water District, would have on the hydrologically connected basins in this area of the state prior to approving any of the applications.

In the Matter of Application Number 5400	4	
FILED BY the Las Vegas Valley Water Dis	strict	PROTEST
ON October 17, 1989 TO APPROPRIATE THE	٠	
Waters of Underground		
Comes now the County of Nye, State of N	levada, whose post offic	ce address is P.O. Box 1767, Tonopah, NV, 89049,
hose occupation is Political Subdivision, State of	of Nevada, and protests	the granting of Application Number 54004, filed on
October 17, 1989, by the Las Vegas Valley Water		
County, State of Nevada, for the following reasons		
See attached.		
THEREFORE the protestant requests that the	e application by DENII	ED and that an order be entered for such relief as the
State Engineer deems just and proper.	Signed Hen	len T. Brachust
	Stephen T. Bradhurs	st, Agent
	Address: P.Q. Box 1	510, Reno, NV 89505
Subscribed and sworn to before me this 644	_ day of July <u>.00</u> , 1990	o. ← 6 v : 30
		many Sierley
	State of Nevada	Notary Public
	County of Washoe	MARY SEERLEY NOTARY PUBLIC STATE OF NEVADA WASHOE COUNTY My Appnt. Expires JAN. 13, 1991



REASONS AND GROUNDS FOR PROTEST BY NYE COUNTY

The Nye County Board of Commissioners, State of Nevada, does hereby protest the above-referenced Application for the following reasons and on the following grounds, to wit:

- 1. Upon information and belief protestant asserts that there is not sufficient unappropriated ground water in host water basin to provide the water sought in the above-referenced Application and all other pending applications involving the utilization of surface and ground water from the basin.
- 2. The appropriation of this water when added to the already approved appropriations and existing uses and water rights in host water basin will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will lower the water table; degrade the quality of water from existing wells; cause negative hydraulic gradient influences; and threaten springs, seeps and phreatophytes which provide water and habitat that are critical to the survival of wildlife and grazing livestock.
- 3. The granting or approval of the above-referenced Application would unreasonably lower the water table and sanction water mining, which is contrary to Nevada law and public policy.
- 4. This Application is one of 146 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of some 864,195 acre-feet of ground and surface water primarily for municipal use in Clark County. Diversion and export of such a quantity of water will deprive the area of origin of the water needed to protect and enhance its environment and economic well-being; and the diversion will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.
- 5. The granting or approval of the above-referenced Application in the absence of comprehensive water-resource development planning, including, but not limited to, environmental-impact considerations, socioeconomic-impact considerations, cost/benefit considerations, water-resource evaluation by an independent entity, and a water-resource plan for the Las Vegas Valley Water District (such as is required by the Public Service Commission of water purveyors) is detrimental to the public welfare and interest.
- 6. The granting or approval of the above-referenced Application would be detrimental to the public interest in that it, individually and together with other applications of the water importation project, would:
 - a. Likely jeopardize the continued existence of endangered and threatened species recognized under the federal Endangered Species Act and related state statutes:

- b. Prevent or interfere with the conservation of those threatened or endangered species;
- c. Take or harm those endangered or threatened species; and
- d. Interfere with the purpose for which the federal lands are managed under federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
- 7. The granting or approval of the above-referenced Application will sanction and encourage the willful waste of water that has been allowed, if not encouraged, by the Las Vegas Valley Water District. Said waste of water is contrary to Nevada law and public policy.
- 8. The subject Application seeks to develop the water resources of, and transport water across, lands of the United States under the jurisdiction of the United States Department of Interior. This Application should be denied because the Las Vegas Valley Water District has not obtained or demonstrated that it can obtain the necessary legal interest (right-of-way) on said lands to extract, develop and transport water from the point of diversion to the point of use in the Las Vegas Valley Water District service area. Therefore, the Las Vegas Valley Water District cannot show that the water will ever be placed in beneficial use.
- 9. The Application should be denied because it individually and cumulatively with other applications of the water importation project will perpetuate and may increase the inefficient use of water in the Las Vegas Valley Water District service area and frustrate efforts at water-demand management in the Las Vegas Valley Water District service area.
- 10. The Las Vegas Valley Water District lacks the financial capability for developing and transporting water under the subject permit, which is a prerequisite to putting the water to beneficial use; and accordingly, the subject Application should be denied.
- 11. The above-referenced Application should be denied because it fails to adequately include the statutorily required information, to wit:
 - a. Description of proposed works;
 - b. The estimated cost of such works;
 - c. The estimated time required to construct the works and the estimated time required to complete the application of water to beneficial use;
 - d. The approximate number of persons to be served and the future requirement; and
 - e. The dimensions and location of proposed water-storage reservoirs, the capacity of the proposed reservoirs, and a description of the lands to be submerged by impounded waters.

- 12. The subject Application should be denied because it individually and cumulatively with other applications of the proposed project will exceed the safe yield of host water basin thereby adversely affecting phreatophytes and creating air contamination and air pollution in violation of State and Federal Statutes, including, but not limited to, the Clean Air Act and Chapter 445 of the Nevada Revised Statutes.
- 13. The Application cannot be granted because the applicant has failed to provide information to enable the State Engineer to properly safeguard the public interest. The adverse effects of this Application and related applications associated with the proposed water appropriation and transportation project (largest appropriation of ground water in the history of the State of Nevada) cannot properly be evaluated without an independent, formal and publicly reviewable assessment of the following:
 - a. The water resources of the proposed area of diversion and the cumulative effects of the proposed diversions;
 - b. Mitigation measures that will reduce the impacts of the proposed extraction; and
 - c. Alternatives to the proposed extraction, including, but not limited to, the alternatives of no extraction and aggressive implementation of all proven and cost-effective water-demand management strategies.
- 14. The above-referenced Application should be denied because the applicant has failed to provide the protestant relevant information regarding this Application and other applications which comprise the proposed importation project (works) as required by N.R.S. 533.363. The failure to provide such relevant information denies protestant due process of law under Chapter 533, N.R.S., in that said relevant information may provide protestant with further meaningful grounds of protest, and that protestant may be forever barred from submitting such further grounds of protest because the protest period may end before Applicant provides such required information. The failure of applicant to provide such information denies protestant the meaningful opportunity to submit protests to this Application and other applications associated with the water importation project as allowed by Chapter 533, N.R.S.
- 15. The subject Application should be denied because the population projections upon which the water-demand projections are based are unrealistic and ignore numerous constraints to growth, including traffic congestion, increased costs of infrastructure and services, degraded air quality, protection of rare and endangered species, etc.
- 16. The subject Application should be denied because previous and current conservation programs instituted by the Las Vegas Valley Water District are inefficient public-relations-oriented efforts that are unlikely to achieve substantial water savings. Public-policy and public-interest considerations should preclude the negative environmental and socioeconomic consequences of the proposed transfers on areas of origin when the potential water importer has failed to make a good-faith effort to efficiently use currently available supplies.

- 17. The subject Application should be denied because the enormous costs of the project likely will result in water-rate increases of such a magnitude that demand will be substantially reduced, thereby rendering the water transfer unnecessary.
- 18. The granting or approval of the above-referenced Application would be detrimental to the public interest and not made in good faith since it would allow the Las Vegas Valley Water District to lock up vital water resources for possible use sometime in the distant future beyond current planning horizons.
- 19. The subject Application should be denied because current and developing trends in housing, landscaping, national plumbing-fixture standards and demographic patterns all suggest that the simplistic water-demand forecasts upon which the proposed transfers are based substantially overstate future water-demand needs.
- 20. The subject Application should be denied because the current per capita water-consumption rate for the Las Vegas Valley Water District is double that of similarly situated southwestern municipalities. This suggests enormous potential for most cost-effective supply alternatives, including demand management and effluent re-use. These alternatives have not been seriously considered by the Las Vegas Valley Water District.
- 21. The above-referenced Application should be denied because the State Engineer has previously denied other applications for water from the host water basin, said applications having been prior in time to the instant Application and those applications associated with the water importation project. The grounds for denial (e.g., applicant does not own or control the land on which the water is to be diverted, approval would be detrimental to the public welfare, etc.) of the prior applications should apply equally to the instant Applicant and provide grounds to deny the instant Application.
- 22. The granting or approval of the above-referenced Application and the other applications associated with the water-importation project will most likely have a negative impact on Nevada's environment (see the report entitled Las Vegas Water Importation Project Technology Assessment by Baughman and Finson). Therefore, the subject Application should be denied by the State Engineer since it is the public policy of the State of Nevada, per Governor Bob Miller's January 25, 1990, State of the State Address, to protect Nevada's environment, even at the expense of growth (see page 11 of the Address).
- 23. The State Engineer is a member of the State of Nevada Environmental Commission (N.R.S. 445.451). This entity has the duty to prevent, abate and control air pollution in the State of Nevada, including Las Vegas Valley. Air pollution in Las Vegas Valley is so bad that the Valley has been classified a non-attainment area for national and state ambient air-quality standards for CO and PMIO. The Las Vegas Valley Water District applications for water from central, eastern and southern Nevada are for the purpose of securing water to encourage and support future growth in Las Vegas Valley. The State Engineer should deny the above-referenced Application and the other applications associated with the water-importation project since more water means more growth—therefore, more air

pollution. The State Engineer should be taking steps to ameliorate the air-quality problem in Las Vegas Valley, not exacerbate it. The State Engineer, along with the other members of the Environmental Commission, has the legal and moral responsibility to prevent air pollution in Las Vegas Valley. Therefore, the Commission should protest the subject application and the other applications associated with the growth-inducing project.

- 24. The above-referenced Application should be denied because economic activity in the area of the proposed point of diversion is water-dependent (e.g., grazing, recreation, etc.); and a reduction in the quantity and/or quality of water in the area would adversely impact said activity and the way of life of the area's residents.
- 25. The above-referenced Application and the other applications associated with the water-importation project should not be approved if said approval is influenced by the State Engineer's desire or need to ensure that there is sufficient water for those lots and condominium units created in Las Vegas Valley by subdivision maps. These maps were approved by the State Engineer, and he certified that there is sufficient water for the lots and units created by the maps. If there is not sufficient water for these lots and units, then Clark County water resources (e.g., water created by conservation, water saved by re-use, etc.) should be developed and assigned to the water-short lots and units.
- 26. On information and belief the Las Vegas Valley Water District applications to appropriate water from central, eastern and southern Nevada should be denied since the District has not shown a need for the water and the feasibility (technical and financial) of the water-importation project. The District's need for the water and the feasibility of the water-importation project should be components of a water-resource plan approved by the Public Service Commission of Nevada (see N.R.S. 704.020(2)(b)).
- 27. Las Vegas Valley Water District public statements and written material indicate that approximately 61 percent of the water rights sought by the District (via the 146 applications) are to be temporary water rights. But, the applications (146) state the water is to be used on a permanent basis. Therefore, the subject applications, including the above-referenced Application, should be denied because the public has been denied relevant information and due process.
- 28. The above-referenced Application and the other applications associated with the water-importation project should be denied since removing water from central, eastern and southern Nevada to Las Vegas Valley will adversely impact economic activity (current and future) of the water-losing area. Some of the economic impacts are as follows:
 - a. Agriculture: The combination of sunlight, water resources (ground water and geothermal sources), technology for intensified forms of agriculture, and growing markets (particularly in Las Vegas and Los Angeles) might create conditions for new agricultural development. A lack of water resources that can be developed would foreclose these additions to the economy of the region and the state:

- Fish farming using thermal springs
- Truck gardens or cotton crops
- Greenhouses for flowers or hydroponic vegetables, either alone or in conjunction with electric cogeneration plants.

In addition, the removal of ground water might damage the existing agricultural economy of the area by decreasing grazing available for cattle and sheep and decreasing crops like hay. Water rights are often gained by the purchase of agricultural land that has the water rights attached; then the purchaser takes the land out of agricultural production and removes the water to another, non-agricultural use. The three counties most affected by the granting of Las Vegas Valley Water District's applications—Nye, White Pine and Lincoln—had combined sales of cattle of over \$7,000,000 in 1987 and combined sales of other agricultural products of \$3,500,000 in the same year, according to the U.S. Department of Commerce. Removal of ground water could affect existing water sources for irrigating hay, and decrease forage available for cattle and sheep to the detriment of the agricultural segment of the economy of the three counties.

- b. Power Generation and Transmission: The removal of ground water could inhibit or preclude opportunities for power production, which generally uses water for cooling and in steam generation. The transmission lines developed to connect the White Pine and Thousand Springs Power Plants to the regional grid (with connection point in Henderson from White Pine), linked to electric-power-hungry markets in Las Vegas and southern California, might offer economic development potentials:
 - Production of electric power from geothermal sources could be connected to the transmission line for sales in the region or outside the state
 - Electric generation from locally produced natural gas or oil, or from natural gas from the Kern River Pipeline, could also be connected to the grid
 - Costs of solar power are declining and, under certain circumstances, are similar to other power production. Nevada's climate and open spaces, combined with access to a transmission line, could make solar-power production attractive.

Just as importantly, solar-, geothermal- and thermal-power production could provide inexpensive power for new dispersed activities in the three counties that are not now close enough to the electric grid for economic tie-in.

c. Mineral Extraction: Oil and natural gas offer major (though as yet highly uncertain) prospects. There is informed speculation that this area is the last major unexplored resource in the continental United States. Dwindling supplies elsewhere, in combination with reduction of imports, could produce important opportunities in Nevada. The development of other mineral resources is likely, and some could be of significant scale (e.g., Bond Gold), either as now, transported to linked industries, or as an attraction for colocation (see below).

Gold, however, is not the only mineral found in minable quantities and qualities in the region. Silver, molybdenum, and copper also are an important part of the economies of the three counties and so, to a lesser degree, is the extraction of mercury, fluorspar, calcium borate, zinc, lead and perlite. Each of these minerals is currently being produced in the region. As demand in the world changes for minerals, these and others may make important contributions to the region's and the state's economy. The effect on mining of removal of ground water from the region should be fully understood before the applications are approved.

- d. Manufacturing: Space-requiring industries (e.g., Aero-Jet, Southern California Aerospace, etc.), which are increasingly constrained in the Los Angeles metroplex, could choose locations in the Nevada desert, particularly if other infrastructure (rail, highways, electric power, water, etc.) were available. Those interested could include:
 - Manufacturers requiring Nevada's clean air or large expanses of uninhabited land
 - Industry serving the U.S. Departments of Defense and Energy
 - · Producers of gaming devices or photovoltaic equipment
 - Manufacturers dependent upon minerals extracted in Nevada, or serving those industries.
- e. Tourism: Though slow to develop, tourism and travel could increase between Interstate Highways 80 and 15. Development could include facilities such as attractions for those enjoying Nevada's laws on gaming, and health spas centered around thermal hot springs and Nevada's clean air and quiet, empty landscapes.

Geothermal wells deserve particular mention regarding tourism. The region has many documented geothermal sources with varying temperatures suitable for a variety of uses. It is widely believed that the extraction of ground water will decrease the flow of these springs before their potential is fully developed. The Japanese, for instance, especially enjoy thermal waters and often make them a part of their vacations as well as daily life; Europeans have flocked to health spas for centuries. It is possible that geothermal springs could be developed into a lucrative tourist attraction, but not if the ground water is so depleted that it reduces or eliminates geothermal sources.

Wildlife could also be adversely affected. The National Park Service, in a publication about outside threats to Death Valley, says that "Environmental impacts are probable to . . . Sunnyside/Kirch Wildlife Management Area, Railroad Valley wetlands areas, Key Pittman Wildlife Management Area, Pahranagat National Wildlife Refuge, and the Ash Meadows National Wildlife Refuge if the [LVVWD] applications are approved." Damage to or loss of wildlife areas could cause a decline in tourist visits to the region and prevent expansion.

An unpublished assessment of Las Vegas Valley Water District's project by Mike L. Baughman reports that the three counties "contained 275 [water-

related recreational] sites . . . estimated to support in excess of 700,000 resident recreation visitor days." Nevadans, as well as tourists from other areas, may mourn damage to these recreational sites.

- f. Concentration of Population: The state of Nevada should consider the important public-policy issues concerning dispersal of population, which are an inherent, if unspoken, part of the debate on appropriation of the region's water. Some of those issues are:
 - Whether foreclosure (because of insufficient water) of economic prospects outlined above preclude a more effectively and efficiently organized state of Nevada, from both an economic and a political point of view
 - Whether a large (\$1.5 billion) investment in infrastructure in rural Nevada could be used to encourage a growth pattern different from and superior to the current concentration in Reno and Las Vegas
 - Equity issues in the lack of representation of the state's rural population in state decision-making
 - Beneficial use of sparsely populated land areas.
- g. Interrelationships: Many of the economic potentials are interrelated to, and even dependent upon, each other:
 - If sufficient water is unavailable for electric-power generation, not only is electric power not produced and sold, but dispersed manufacturing or development of tourist attractions will not occur.
 - If the water table is lowered sufficiently to reduce or stop the flow of thermal springs, fish farming will not develop, and related industries such as manufacturing of packing materials or frozen-food packing plants will not be built
 - Without sufficient water for growth in residential use, even industries that use little or no water may be unable to locate in central and eastern Nevada. Any impact assessment that projected increases in population would trigger a requirement for additional water resources, a requirement that could not be met.

When water that has remained underground for 10,000 years is removed at a rate that is (even temporarily) faster than it can be recharged, that action will change the future of Nevada unalterably. It is critical that the decision-making process that concerns exporting water from rural to urban counties fully addresses the complex nature of a region's economic potentials.

29. Inasmuch as a water extraction and transbasin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse effects without further information and study. Accordingly, the protestant reserves the right to amend the subject protest to include such issues as they may develop as a result of further information and study.

30. The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to this Application and/or any application filed that is associated with the water-importation project and filed pursuant to N.R.S. 533.365.

.a) 'a −e bv:30

In the Matter of Application Number 540	004)	
FILED BY Las Vegas Valley Water Distr	rict	PROTEST	RECE
on October 17, 1989, to Appropr	RIATE THE		RECEIVE
WATERS OF Underground	************		JUL 06 1990
			Div of W.
Comes nowRutherford Day			Branch Office - Las Vegas, NV
whose post office address is Star Route HC		ed or typed name of protesta	
whose occupation is Mine Operator		No. or P.O. Box, Cky, Su	ite and Zip Code
£ (1.		October 17	and protests the granting
A		october 17	
by Las Vegas Valley Water District Printed or ty	TO speed name of ap	plicant	to appropriate the
waters of Underground			situated in Lincoln
Underground or name of stream, tak		rr source	
County, State of Nevada, for the following rea	asons and o	on the following gre	ounds, to wit:
in trust for all its citizens. The resources of, and transport water a diction of the United States Depart application should be denied becaus right-of-way for water development the proposed point of diversion to District in Clark County. The under though fully set forth herein and a the aforementioned applications file THEREFORE the protestant requests that the	e subject across, l ment of se the La on publi the serv ersigned adopts as ed pursu he application	Application s ands of the Un Interior, Bure s Vegas Valley c lands and th ice area of th additionally i its own, each ant to NRS 533 on be Denied	eeks to develop the water ited States under the jurisau of Land Management. This Water District has not obtain the transportation of water from the Las Vegas Valley Water not necessary of the protest to 365.
and that an order be entered for such relief as	the State E	ngineer deems just	and proper.
	Signed	As Printed o	ent or protessions
-	Address	Star Route HC	CR 10, Box 15
		Pioche, Nevad	ia 89043
		City, Su	ate and Zip Code No.
APPT. EXP. 1-21-94	State of	June Judy A neva	1990 Stehat Joany Public
And the second s	-vanty UI_	JANC	

IN THE MATTER OF APPLICATION NUMBER 54004 FILED BY LAS VEGAS VALLEY WATER DISTRICT ON OCTOBER 17, 1989, TO APPROPRIATE THE WATERS OF UNDERGROUND

PROTEST

Comes now Owen R. Williams, on behalf of the United States Department of the Interior, National Park Service, whose post office address is 301 S. Howes Street, Room 353, Fort Collins, Colorado, 80521, whose occupation is Chief, Water Rights Branch, Water Resources Division, National Park Service, and protests the granting of Application Number 54004, filed on October 17, 1989, by Las Vegas Valley Water District to appropriate the water of Underground Basin 184, SPRING VALLEY, situated in LINCOLN County, State of Nevada, for the following reasons and on the following grounds, to wit:

See Exhibits A through B attached.

THEREFORE the protestant requests that the application be denied (See Exhibit C, attached).

Signed Quilli
Agent or protestant
Owen R. Williams
Printed or typed name, if agent
Address 301 South Howes St., Room 353 Street No. or P.O. Box No.
Fort Collins, CO 80521 City, State and Zip Code No.
Subscribed and sworn to before me this 5 day of July, 1990.
Notary Public
State of <u>Colorado</u>
County of <u>Larimer</u>
My Commission expires $\frac{3/10/9/}{}$.

(beards) of A 7 EXHIBIT A

Of the United States Department of the Interior, National Park Service

I. It is The mission of the National Park Service (NPS) may be paraphrased from 16.U.S.C. It as conserving the scenery, natural and historic objects, and wildlife, and providing for enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations. Great Basin National Park (Great Basin NP) was created by Congressional Act in 1986, ... to preserve for the benefit and as inspiration of the people a representative segment of the Great Basin of the Western United States possessing outstanding resources and significant geologic and scenic values...".

ids a wall record against ever not there is a set a Water resources at Great Basin NP include lakes, streams, springs, seeps, and ground water. Associated with these are various watermolecular to to threlated resource attributes. Two examples are described. (1) Pine and 2000 1000 Ridge Creeks which headwater within Great Basin NP and flow into Spring 2006 To perclarki Utah): This fishespecies is considered by the U.S. Fish and Wildlife Service as a candidate species for threatened status under the Endangered Species Act, and is listed by the Nevada Department of 2 1979 Wildlife as a state sensitive species: (2) In addition to Lehman Caves, discussed in more detail in II. below, there are approximately 30 known caves within Great Basin NR. There may well be cave systems within Great Basin NP which have motifyet been discovered and Ground water is important in maintaining cave features and is thought to play an important role in cave ecology. VICE SEC. 9 THE REEL Pro march add magan brokenes

The public interest will not be served if water and water-related or impaired as a result of the appropriation proposed by this application.

II. In the legislation establishing Great Basin NPg Congress explicitly excluded the establishment of any new Federal reserved water right, but stated that the United States was entitled to reserved rights associated with the initial establishment and withdrawal of Humboldt National Without the initial establishment and withdrawal of Humboldt National Forest and Lehman Caves National Monuments. The priority dates for these reserved rights are the dates of initial establishment of national forest lands and Lehman Caves National Monument, and are senior to the appropriation sought by this application. These reserved rights have not been judicially quantified.

Ground water plays an important role in maintaining the features of Lehman Caves. The caves contain living limestone formations, such as stalactites, stalagmites, plate-like shields, cave coral, rimstone dams,

EXHIBIT A (Continued)

Protest by Owen R. Williams, on behalf of the United States Department of the Interior,

เมอง รศส์ ซ้าย จำลดของ 3 3 **กอ**า

TO MEMBERS

curling helictites, flowstone, and draperies. However, little is known about the ecology of the caves and the role played by water.

If the diversion proposed by this application causes ground-water levels in the vicinity of Lehman Caves to drop and/or alters the direction of ground-water movement, ground-water flow in Lehman Caves will be reduced or eliminated. So The senior NPS reserved water rights, water resources, and water-related resource attributes will thus be impaired.

III. The NPS holds a water right to Cave Springs (proof 01065), with a priority date of 1890, which was decreed October 1, 1934. By Application Number 20794, Certificate Record No. 7573, the point of diversion, manner and place of use were changed. The point of diversion is within the SW1/4 NE1/4 Sec. 9, T13N R69E, MDBM. This right provides water for the current visitor center, picnic area, maintenance area, trailer dump station, and park housing; and for the watering of lawns and a historic orchard.

If the diversion proposed by this application causes ground-water levels in the vicinity of Cave springs to drop and/or alters the direction of ground-water movement, ground-water flow to Cave Springs will be reduced as a constant or call minated to The senior NPS water right for Cave Springs will thus be impaired as a loss sermes ever ground as a constant of the senior server and a cons

vpalove syncher slow distinces

IV. Located near the town of Baker, in the E1/2 NW1/4 Sec. 9 T13N R70E,

MDBM, is an administrative site on public domain land which was

Mithdrawn from entry for use by the United States Forest Service (USFS).

The NPS currently uses the site as a ranger station, office and residence, with water supplied by a well developed when the USFS

Mithdrawn from entry for use by the United States Forest Service (USFS).

This site is under consideration for development by the NPS in the General Management Plan for Great Basin NP, a draft of which is scheduled for release in January 1991. The site would likely include administrative offices, a park maintenance facility, and residences for park staff including up to 6 single-family dwellings and an apartment unit housing 30 people. Adequate facilities of this kind are vital to the protection and management of the nationally important Great Basin NP for the benefit and inspiration of the people.

By virtue of the primary USFS withdrawal still in effect for this site, the United States has Federal reserved water rights for the purposes of the withdrawal, which include use as a ranger station with supporting

2000 March The Matter of Application 54004

EXHIBIT A (Continued)

including the United States Department of the Interior, Library Mational Park Service

was favor facilities. The priority dates fon the reserved rights are the dates adulayana agaz uponawhich alandawas withdrawn for use by the USFS a These reserved gas and manights have not been judicially quantified. The office out

Privade, are along the rastern Flank of the range! Part of the mange is getafor constituted States also holds a portion of proof 01066, a assigned on <u>ng a success June: 29, 1945. a Proof 01066 is a water right decreed on October 1, 1934.</u> 2: 5 / a The United States entitlement to this right is 0.38 cubic feet per ball a second in summer and 0.13 cubic feet per second in winter.

e of avoing waters If the water supply for this administrative site is diminished or makes a selimpaired as a result of the appropriation proposed by this application, 2 graded liberal Atherpublic, interest will mot be served and the United States senior page 16881 to the Federal Preserved and decreed water rights will be impaired.

Marrill et al. 1988 Shoot 2) - A regional ground-water setanish Lan Wiscoli As mentioned in item IV. above, the NPS is preparing a General 1994 1897 Management Plansfor Great Basin NP, scheduled for release in January 1991. The plan contemplates the construction of a visitor center in and some Total Greate Basin, NP, sto bet located between Bakers and Lehmans Creeks, within TIAN R69E, MDBM.: It is anticipated that the water supply for the new the second second to the second secon Some of A sestream system is not presently within a designated ground-water basin some seand the plan has not yet been finalized, the NPS has not applied for a indiquentity of discharge is only a restinapping religible value of the damped as control of respect to the sealth of the sealth

If this application and Las Vegas Valley Water District's (LVVWD) other applications within:Snake:Valley and Spring Valley Basins are approved, there will be no water available for future appropriations. The new symbols of seachities planned for Great Basin NP are for the benefit and The accommendation of the speople is Incaddition, when park attracts tourists to SM 37250 bear the area and is important to the local seconomy. 3 Thus, sit would not be assis and creating the public interest to approve this and other applications within indicale, however, tanisaBeyellaVapningSebna yellaV eshing spring to the Spring Velleys are hydraulically connected. Large diversions, such as 6600

medaw to

VI. The diversion proposed by this application is located in the carbonateloge flav on ingerock province of Nevadads. The carbonate rock province is typified by complex interbasin regional flow systems that include both basin-fili Second and carbonate-rock aquifers (Harrill; et ale, 1988; Sheet 1). Ground (a) Water flows along complex pathways through basin-fill aquifers, carbonate-rock aquifers, or both, from one basin to another. Groundwater flow system boundaries, and thus interbasin ground-water flows, are poorly defined for most of the carbonate-rock province (Harrill, et al., 1988, Sheet 1). 91288 alre-feet ner years

というはいなる (Continued)

Protest by Owen R. Williams, on behalf of the United States Department of the Interior, operad ≥ National Park Service

455 7069

umofilarioga :

ar sydges

The proposed diversion is located in Snake Valley or Spring Valley. Great Basin NP encompasses part of the Snake Range which separates the two valleys. Lehman Caves and the administrative site near Baker, Nevada, are along the eastern flank of the range. Part of the range is composed of carbonate rocks which have been strongly deformed by folding and repetitive faulting. Some water is transmitted through nore space and repetitive faulting. 8 Some water is transmitted through pore space in the carbonate rock d However, connected solution cavities and fractures in the carbonate rock provide conduits for more rapid transmission of ground water. is svits stainambs wint many igus recow and

The basin-fill and carbonate-rock aquifers in Snake, Hamlin, and Spring The second water flow system which discharges win the Great Salt Lake Desert (Hood and Rush, 1965; Dettinger, 1989; and Harrill, et al., 1988, Sheet 2). A regional ground-water potential map prepared by Harrill, ettal. (1988, Figure 5, Sheet 1), indicates general regional ground-water movement from Spring Valley to Snake Valley. i. no-100.t2000 sit as

Rush and Kazmin (1965) estimated that about 4,000 acre-feet of ground water per year flows from Spring Valley to Hamlin Valley through the Some carbonate rocks in the Snake Range separating these two valleys. Ground water beneath Hamlin Valley is discharged into aquifers beneath Snake The Sallage Valleys (Hood and Rush, 1965, Plate 1; Harrilly et al., 1988, Sheet 2). The quantity of discharge is only a rough estimate; and may be much larger or smaller. Where carbonate rocks separate Spring Valley and Snake Valley, other potential areas for the movement of ground water 3 137698 378 between Spring and Snake Valleys occur. 14518 2561 85 on the constitution

Available scientific literature is not adequate to reasonably assure that the ground-water appropriation proposed by this application will and for the work impact water resources and water-related resources of Great Basin NP The Residue the United States senior water rights. EScientific literature does indicate, however, that the aquifers beneath Hamlin, Snake, and Spring Valleys are hydraulically connected. Large diversions, such as that proposed by this application, may impact the water resources of Great 📑 🔛 🖂 Basin NP and the United States water rights in Snake and Spring valleys.

- fit-mised atot classes as to employe wort VII. Besides this application, the LVVWD has submitted 18 additional applications to appropriate ground water in Basin 184, SPRING VALLEY e-more abilit B) as to both, from one bas (**B tidinx3**)20
- A. Diversions proposed by these applications would be about 91282 acre-feet per year.

នៅស្រីក្រៅ ខែមុន ខែ មិន ខេត្ត ស្រីក្រុង ស្រី ស្រីស្រីស្រី នៅស្រីក្រុង ស

HANDER EXHIBIT A (Continued)

Protest by Owen R. Williams, on behalf of the United States Department of the Interior,

- Large to the AB. As, of December, 1988, committed diversions of 35800 acre-feet per seasons of 35800 acre-feet per year and an estimated perennial yield of a 100000 acre-feet per year and a season 184, SPRING VALLEY. (Nevada Department of Section and Natural Resources, 1988).
 - C. The sum of the committed diversions and the diversions proposed by the LVVWD applications in this basin exceeds the estimated recharge of 75000 acre-feet per year (Harrill, et al., 1988, Sheet 2; Eakin et al., 1976) by 52082 acre-feet per year and the estimated perennial yield by 27082 acre-feet per year.

An overdraft of ground-water resources is expected to occur. The overdraft will cause ground-water levels to decline, alter the direction of ground-water flow, dry up playas, reduce or eliminate spring and stream flows, and cause land subsidence and fissuring. The cumulative effects of these diversions in this basin are expected to cause impacts at Great Basin NP and at the administrative site near Baker, Nevada, to occur more quickly and/or to a greater degree than diversions under this application alone. The diversions proposed by LVVWD in this basin exceed the water available for appropriation. The impacts described above are not in the public interest.

- VIII. It should be noted also, that the LVVWD has submitted 28 applications which propose the appropriation of 196 cubic feet per second (141994 acre-feet per year) of ground water from the aquifers beneath Snake Valley and Spring Valley Basins (Exhibit B). The diversions proposed by LVVWD in these basins exceed the water available for appropriation. The cumulative effects of these diversions is expected to cause the impacts described in VII. above, to appear more quickly and/or to a greater degree than diversions within the subject ground-water basin, or under this application alone. This conclusion is supported by the following.
- An Harrill, et al. (1988, sheet 2) show an estimated ground-water solve the made recharge of 177000 acre-feet per year for the Spring Valley, Hamlin body as a Valley, and Snake Valley Basins. This estimate includes ground-solves water recharge for Basin 194, Pleasant Valley. Eakin, et al. 1976, Table 8) show an estimated ground-water recharge of 20100 129000 acre-feet per year for these basins.

APPROPRIATE OF STREET

B. As of December 1988, the latest available estimate of committed 10000 vsdm (diversions for the basins was 41535 acre-feet per year (Nevada 2000) Department of Conservation and Natural Resources, 1988).

(beanting EXHIBIT A (Continued)

Protest by Owen R. Williams, on behalf of the United States Department of the Interior,

- Ted 1991-910 C.O. The sum of the committed diversions and the diversion rate proposed 1991 (1991-1992) by the applications in these basins--183529 acre-feet per year--10 2000 (1988, Sheet 2) by 6529 acre-feet per year, and the estimated recharge rate shown by Eakin, et al., (1976, Table 8) by 1991-1991 (1992-1992) acre-feet per year.
- IX: In this application, the point(s) of discharge for return flow (treated effluent) has or have not been specified. However, the possibility exists that the return flow may be discharged into a hydrologic basin other than the basin of origin. This being the case, depletions to ground-water basins tributary to aquifers beneath Snake and Spring valleys, and hence impacts to Great Basin NP (including Lehman Caves) and the water supply for the administrative site, will occur more quickly and/or in greater magnitude if return flow (or treated effluent) is not discharged in the basin of origin.
- According to NRS 533.060, "Rights to the use of water shall be limited and restricted to so much thereof as may be necessary, when reasonably and economically used for irrigation and other beneficial purposes..."

 Further, NRS 533.070 states that "The quantity of water from either a surface or underground source which may hereafter be appropriated in this state shall be limited to such water as shall reasonably be required for the beneficial use to be served." Implicit in these statements is a prohibition against waste and unreasonable use of water. It is unclear whether the quantity of water contemplated by this application, individually and in combination with applications 53947 through 54036, 54038 through 54066, 54068 through 54076, 54105, and 54106 by the LVVWD is necessary and is an amount reasonably required for municipal and domestic purposes. Past open and notorious practices would indicate otherwise.
- XI. The application does not clearly indicate the place of use, the description of proposed works, estimated cost of works, number and type of units to be served, or annual consumptive use. Nor, as described in X. above, is it clear that the appropriation sought is necessary and is in an amount reasonably required for the beneficial use to be served. Therefore, the application is defective and should be summarily rejected by the State Engineer.
 - XII. In sum, the NPS protests the granting of Application Number 54004, submitted by the LVVWD to appropriate and divert ground water, on the following grounds.

FOR SET IN THE MATTER OF APPLICATION 54004

EXHIBIT A (Continued)

Protest by Owen R. Williams, on behalf of the United States Department of the Interior,
National Park Service

openy monorawet and for 20 only 1999. Into the

1 1 1

- A.V The public interest will not be served if water and water-related consider the public interest will not be served if water and water-related considerable of the appropriation proposed by this application.
 - The diversion proposed by this application causes ground-water common a second-levels in the vicinity of Lehman Caves to drop and/or alters the levels of direction of ground-water movement, ground-water flow in Lehman Caves will be reduced or eliminated. The senior NPS reserved water make well beautiful thus be impaired.
- C. If the diversion proposed by this application causes ground-water levels in the vicinity of Cave springs to drop and/or alters the direction of ground-water movement, ground-water flow to Cave Springs will be reduced or eliminated. The senior NPS water rights for Cave Springs will thus be impaired.
- D. If the water supply for the administrative site near Baker, Nevada, is diminished or impaired as a result of the appropriation proposed by this application, the public interest will not be served and the United States senior Federal reserved and decreed water rights will be impaired.
 - E. If this application and LVVWD's other applications within Snake Valley and Spring Valley Basins are approved, there may be no water available for future appropriations. Facilities at Great Basin NP for the benefit and inspiration of the people will not be possible without a dependable water supply. It is not in the public interest to approve this and other applications within Snake Valley and Spring Valley Basins.
 - F. Available scientific literature is not adequate to reasonably assure that the ground-water diversion proposed by this application will not impact the senior water rights of the United States at Great Basin NP and the administrative site near Baker, Nevada. The State Engineer will, therefore, be unable to make a determination that injury will not be manifest upon other water users, including the NPS.
 - G. The cumulative effects of the diversion proposed by this application and other applications within this basin (Exhibit B) will impair the senior water rights of the United States more quickly and/or to a greater degree than diversions under this

Sense Rot IN THE MATTER OF APPLICATION 54004

EXHIBIT A (Continued)

Protest by Owen R. Williams, on behalf of the United States Department of the Interior, National Park Service

betaler and we have application alone. The diversions proposed by LVVWD in this basin as the large and the water available for appropriation. These impacts are not that we be applied in the public interest.

- H. The cumulative effects of the diversion proposed by this application and other applications in Basins 184 and 196 will impair the senior water rights of the United States more quickly and/or to a greater degree than diversions within the subject ground-water basin, or under this application alone. The diversions proposed by LVVWD in these basins exceed the water available for appropriation.
- Depletions to ground-water basins tributary to aquifers beneath Snake and Spring valleys, and hence impacts to Great Basin NP (including Lehman Caves) and the water supply for the administrative site, will occur more quickly and/or in greater magnitude if return flow (or treated effluent) is not discharged in the basin of origin.
- J. It is unclear whethen the quantity of water claimed by this application, individually and in combination with applications 53947 through 54036, 54038 through 54066, 54068 through 54076, 54105, and 54106, is necessary and is an amount reasonably required span and in the combination with applications of the combination with a c
- K. The application does not clearly indicate the place of use, the description of proposed works, estimated cost of works, number and type of units to be served or annual consumptive use. Nor is it clear that the appropriation sought is necessary and is in an amount reasonably required for the beneficial use to be served. Therefore the application is defective and should be summarily rejected by the State Engineer.
- o fiscillus sidi ve becomes actanovib metal-base could issee the make information as a XIII. The NPS reserves the right to amend this exhibit as more information will become available of the agent and the last read that

State Engineer unit, teereras, to un ale to make a determination of the Engineer users and builts.

t, be estilet egs. Artige goolfor tithe within this living lifthibit V) we will the somion water the control states but be entired states but be crited to a terminate downer. That divergnant coost this

ริส์สัก หูนี้ ถือสองเกรด การเลของสาย ๒๐๓ การสายเกิด เดิดเกา ถึกการ เลดี

EXHIBIT B

Protest by Owen R. Williams on behalf of the United States Department of the Interior, National Park Service

The following applications were submitted by the Las Vegas Valley Water District for appropriations in Basins 184 and 195 (Nevada Division of Water Resources, 1990).

	=====	======================================	********	=======================================	****************
					Proposed
Appli-					diversion
cation	Basin				rate.
no.	no.	Basin	Name		ft³/s
======					
54003	184	SPRING	VALLEY		6
54004	184	SPRING	VALLEY		6
54005	184	SPRING	VALLEY		6
54006	184	SPRING	VALLEY		6
54007	184	SPRING	VALLEY	,	6
54008	184	SPRING	VALLEY		6
54009	184	SPRING			6
54010	184	SPRING			6
54011	184	SPRING			6
	184	SPRING			6
	184	SPRING			6
	184	SPRING			6
	184	SPRING			6
	184	SPRING			
-	184	SPRING			6
	184	SPRING			· 6
	184	SPRING			10
	184	SPRING			10
	184	SPRING			10
	195	SNAKE V			6
	195	SNAKE V			6
	195	SNAKE V			6
	195	SNAKE V			6
	195	SNAKE V			10
54027		SNAKE V			io
54028		SNAKE V			10
	195	SNAKE V			10
	195	SNAKE V			6
31000	175	SHAKE Y	MELLI		
				Total	196
				IULAI	130

EXHIBIT C

Protest by Owen R. Williams, on behalf of the United States Department of Interior, National Park Service

The National Park Service (NPS) requests that the application be denied. Further, none of the information which follows should be construed to indicate that the NPS asks for anything less than denial of the application.

If the application is approved, the NPS requests the following.

I. The NPS does not wish to impede any legitimate ground-water development in the State of Nevada, which will not impair the senior water rights, water resources and water-related resource attributes of Great Basin National Park (Great Basin NP) and the administrative site near Baker, Nevada. However, reports by Hood and Rush (1965), Rush and Kazmi (1965), Harrill, et al. (1988, Sheet 1), and Dettinger (1989) indicate that Basins 184, 185, 195, and 196 are hydraulically connected. Therefore, the NPS requests that the State Engineer establish the abovelisted ground-water basins as one designated ground-water basin.

The designation would assist in protecting the interests of the NPS, the Las Vegas Valley Water District (LVVWD), the people of the United States, and the people of the State of Nevada. If this request is denied, the NPS requests that the State Engineer establish the above-mentioned basins as separate designated ground-water basins.

- II. The NPS further requests that, if the application is approved, the permit be conditioned by the following.
 - A. The LVVWD shall conduct a scientific ground-water investigation of basin-fill, volcanic, and carbonate-rock aquifers to determine the hydrologic relationship between Basin 184, SPRING VALLEY, and the water resources of Great Basin NP and the administrative site near Baker, Nevada.
 - B. The LVVWD shall establish and operate a long-term monitoring program designed to detect any potential impacts to water resources of Great Basin NP and the administrative site near Baker, Nevada, directly or indirectly incident to the appropriation described by the application.
 - C. The LVVWD plans for monitoring and investigating ground-water resources shall be subject to the approval of the NPS and the State Engineer and shall include quality assurance protocol acceptable to the above-mentioned parties.

MODES FOR IN THE MATTER OF APPLICATION 54004

EXHIBIT C (Continued)

Milliams, ton behalf of the United States Department of the Interior, National Park Service

obsolber of bull of the LVVWD shall quarterly, or at another mutually acceptable acceptable acceptable acceptable acceptable and analyses completed to the NPS and the State Engineer.

E. The LVVWD shall cease pumping ground water, or reduce the level of the modes and the pumping to the no impact level, in the event that analyses by the state in the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP and/or the senior water rights of the United States at Great Basin NP

III. The NPS reserves the right to amend this exhibit as more information on the state of as the comes available. The state of the company of the state of the st

ind dutigrator while as ist on protecting the checkts of the orbits of the line of the line and the complete of the Dailed at the and the control of the Dailed at the and the current or the South or Revent or the Control of the South or Revent or the control of the South or the control of t

il . The 1875 function expenses their if the applications is approved, the permit or approved, the

The 1953 whell controls a comercian gramm-waite transitional or basins and basin-fril, and carbonate received and feel to depend the basin-fril, and carbonate received and feel to depend to the basin of a control of the water restorate as a feel basin when restorate as a feel basin when some restorate as a feel basin when some re-

ing to WWD could be captured and operators to parker maniforcing of agreem session of sections of agreem session of the court of the court of the court of the court of and the court of th

ាន ប៉ុន្តែក្រសួយ ប្រជាពេញ ប្រធានប្រើប្រទេស ស្ថាន ប្រធានប្រជាពល ប្រជាពេញ ប្រធានប្រជាពេញ ប្រធានប្រធានប្រជាពេញ ប The mark is a military by subject to the local military associate protection of the same server as the same particles as same protection of the same same protection.

REFERENCES CITED

Protest by Owen R. Williams, on behalf of the United States Department of Interior, National Park Service

Dettinger, M.D., 1989. Distribution of carbonate-rock aquifers in southern Nevada and the potential for their development, Summary of Findings, 1985-88: Program for the Study and Testing of Carbonate-Rock Aquifers in Eastern and Southern Nevada Summary Report No. 1, 37 p.

Eakin, T.E., Price, D., and Harrill, J.R., 1976. Summary of the Nation's Ground-water Resources-Great Basin Region. U.S. Geological Survey Professional Paper 813-G, pp. G1-G37.

Harrill, J.R., Gates, J.S., and Thomas, J.M., 1988. Major ground-water flow systems in the Great Basin region of Nevada, Utah, and adjacent states: U.S. Geological Survey Hydrologic Investigations Atlas HA-694-C, 2 sheets.

Hood, J.W., and Rush, F.E., 1965. Water-resources appraisal of the Snake Valley area, Utah and Nevada: Utah State Engineer Technical Publication 14, 43 p.

Nevada Department of Conservation and Natural Resources, 1988. Hydrographic Basin Statistical Summary, Ground Water Basins 001-232: unpublished report, Division of Water Resources and Water Planning, Carson City, Nevada.

Nevada Division of Water Resources, 1990. Abstract of Filings of Las Vegas Valley Water District, dated May 9, 1990.

Rush, F.E., and Kazmi, S.A.T., 1965. Water resources appraisal of Spring Valley, White Pine, and Lincoln Counties, Nevada: Nevada Department of Conservation and Natural Resources Water Resources Reconnaissance Series Report 33, 36 p.

AME SACRE

30 77 - 63:33

In the Matter of Application Number 54004

FILED BY Las Vegas Valley Water District PROTEST	RECEIVED
ON October 17, 1989, TO APPROPRIATE THE	JUL 0 5 1990
WATERS OF 184-2A, SPRING VAL. LIN NV	Div. of Water Resources Branch Office-Las Vegas, NV
Comes now The Unincorporated Town of Pahrun Printed or typed name of pr	otestant
whose post office address is P.O. Box 3140, Pahrump, Nev	
whomenestication holds the trust for the people of Application Number 54004, filed on October 17	
• • •	
Printed or typed name of applicant	to appropriate the
waters of BASIN NO. 184-2A, SPRING VALLEY Underground or name of stream, lake, spring or other source	situated in DINCODN COUNTY
County, State of Nevada, for the following reasons and on the following	g grounds, to wit:
(SEE ADDENDUM)	

THEREFORE the protestant requests that the application be	FNIED
(Denie	d, issued subject to prior rights, etc., as the case may be)
and that an order be entered for such relief as the State Engineer deems	just and proper.
2012	
Signed // Ur	Agent or protestant
Marvin Veneman	, Town Board Chairman
	rinted or typed name, if agent
Address P.O. Box	3140
Pahrump,	Street No. or P.O. Box No. Nevada 89041
	City, State and Zip Code No.
Subscribed and sworn to before me this 29 day of time	<u>19</u> 90.
	m Paul A

"ADDENDUM"

THE UNINCORPORATED TOWN OF PAHRUMP PROTEST THE AFOREMENTIONED APPLICATION FOR THE FOLLOWING REASONS AND ON THE FOLLOWING GROUNDS, TO WIT:

- 1. This Application is one of 146 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of some 864,195 acre feet of ground and surface water primarily for municipal use in Clark County. Diversion and export of such a quantity of water will deprive the area of origin of the water needed to protect and enhance its environment and economic well being, and the diversion will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.
- 2. The granting or approving of the subject Application in the absence of comprehensive planning, including but not limited to environmental impact considerations, cost considerations, socioeconomic impact considerations, and a water resource plan (such as is required by the Public Service Commission of private purveyors of water) for the Las Vegas Valley Water District Service area is detrimental to the public welfare in interest.
- 3. The approval of the subject application will sanction and encourage the willful waste of water that has been allowed, if not encouraged, by the Las Vegas Valley Water District.
- 4. The subject Application seeks to develop and transport water resources on and across lands of the United States under the jurisdiction of the United States Department of Interior, Bureau of Land Management. This Application should be denied because the Las Vegas Valley Water District has not obtained the necessary legal interest (e.g., right-of-way) in the federal land such that the applicant may extract, develop and transport water resources from the proposed point of diversion to the proposed place of use.
- 5. The Application should be denied because it individually and comulatively with other applications of the water importation project will perpetuate and may increase the inefficient use of water in the Las Vegas Valley Water District service area and frustrate efforts at water demand management in the Las Vegas Valley Water District service area.
- 6. The Las Vegas Valley Water District lacks the financial capability for developing and transporting water under the subject permit which is a prerequisite to putting the water to beneficial use.
- 7. The above-referenced Application should be denied because it fails to include the statutory required:
 - (a) Description of the place of use;
 - (b) Description of the proposed works;
 - (c) The estimated costs of such works; and
 - (d) The estimated time required to put the subject water to beneficial use.
- 8. The Application cannot be granted because the applicant has failed to provide information to enable the State Engineet to safeguard the public interest properly. The adverse effects of this Application and related applications associated with the proposed water appropriation and transportation project (largest appropriation of ground water in the history of the State of Nevada) cannot properly be evaluated without an in-

- dependent, formal and publicly-reviewable assessment of:
 - (a) cumulative impacts of the proposed extraction;
 - (b) mitigation measures that will reduct the impacts of the proposed extraction;
 - (b) alternatives to the proposed extraction, including but not limited to, the alternatives of no extraction and aggressive implementation of all proven and cost-effective water demand management strategies.
 - 9. The subject Application should be denied because the population projections upon which the water demand projections are based are unrealistic and ignore numerous constraints to infrastructure and services, degraded air quality, etc.
 - 10. The granting of approval of the above-referenced Application would be detrimental to the public interest and not made in good faith since it would allow the Las Vegas Valley Water District to lock up vital water resources for possible use sometime in the distant future beyond current planning horizons.
 - 11. The subject Application should be denied because current and developing trends in housing, landscaping, national plumbing fixture standards and demographic patterns all suggest that the simplistic water demand forecasts upon which the proposed transfers are based substantially overstate future water demand needs.
 - 12. Inasmuch as a water extraction and transbasin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further information and study. Accordingly, the protestant reserves the right to amend the subject protest to include such issues as they may develop as a result of further information and study.
 - 13. We, the Town of Pahrump know first hand the economic hardship caused by over appropriation of water. Currently the growth of the Pahrump Valley is threatened because of technical over allocation of water. If the Las Vegas Valley Water District is allowed to obtain all remaining available water rights in the various water basins as they have requested, then all these areas will be growth stunted at their current levels. We protect the acquisitions that the Las Vegas Valley Water District has requested. The current request would destroy the economic and growth potential of each basin affected.
 - 14. The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to the subject Application filed pursuant to NSR 533.365.

IN THE MATTER OF APPLICATION NUMBER 5.4004	:
FILED BY LAS Vegas Valley Water Distric	et PROTEST
on October 17, 19.89, to Appropriat	,
Waters of Underground	
Comes now Clarence S. Prestw	ich
	Printed or typed name of protestant
	P.O. BOX 185, Panaca, NV 89042 Street No. or P.O. Box, City, State and Zlp Code
	d on October 17 19 89
	· · · · · · · · · · · · · · · · · · ·
by Las Vegas Valley Water District	d name of applicant to appropriate the
waters ofUndergroundUnderground or name of stream, lake, s	situated in Lincoln pring or other source
County, State of Nevada, for the following reason	ons and on the following grounds, to wit:
The appropriation of this wa	ter_when_added_to_the_already_approved
appropriationsanddedicated	users in the 184 Basin will exceed the
annualrecharge_and_safe_yie	ld of the basin. Appropriations and use
ofthismagnitudewilllower	thewatertableanddegradethequality
of water from existing wells	cause negative hydraulic gradient infl-
uences,furthercauseother	negative impacts and will adversley affect
existing rights adverse to	the public interest.
	Poniod
THEREFORE the protestant requests that the	application be Defiled (Denied, issued subject to prior rights, etc., as the case may be)
and that an order be entered for such relief as the	ne State Engineer deems just and proper.
	Signed Clarence S- Prostrich
	Agent or protestant
	Printed or typed name, if agent
	Address Box 185 270 East Mai
	Panaca Nevada 89042
	City, State and Zip Code No.
Subscribed and sworn to before me this 27	day of June 1996
***/	Blico & Simbins
Notary Public-State Of Nevada COUNTY OF LINCOLN	Notary Public
	State of Mevada
Jan. 26, 1991	County of Lincoln

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.